



NORTH CENTRAL REGIONAL TRANSIT DISTRICT BOARD MEETING AGENDA

June 1, 2012
9:00 AM- 12:00 PM
Buffalo Thunder Resort
Caldera A

CALL TO ORDER:

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. ROLL CALL
4. INTRODUCTIONS
5. APPROVAL OF AGENDA
6. APPROVAL OF MINUTES *for April 13, 2012 and May 4, 2012*
7. PUBLIC COMMENTS

PRESENTATION ITEMS: Plaque to former Chair Rosemary Romero

ACTION ITEMS FOR APPROVAL/ DISCUSSION:

- A. **Public Hearing and Review of Proposed FY 13 Budget:**
Sponsor: Anthony J. Mortillaro. Attachment
- B. **Approval of Resolution No. 2012 – 10, FY 2012 Final Budget:**
Sponsor: Anthony J. Mortillaro, Executive Director. Attachment
- C. **Review and Adoption by Resolution No.2012-09, Rider Suspension Policy:**
Sponsor: Anthony J. Mortillaro, NCRTD Executive Director and Mike Kelly, Transit Operations Manager. Attachment
- D. **Review and Adoption by Resolution No.2012-08, Commercial Advertising Policy:**
Sponsor: Anthony J. Mortillaro, NCRTD Executive Director and Jim Nagle, Public Information Officer. Attachment
- E. **Review and Adoption by Resolution No. 2012-11 Inspection of Public Records Policy:**
Sponsor: Anthony J. Mortillaro, NCRTD Executive Director and Jim Nagle, Public Information Officer. Attachment
- F. **Public Hearing and Approval of Resolution No. 2012-12 Adding the Town of Edgewood as New Member of the NCRTD:**
Sponsor: Anthony J. Mortillaro, NCRTD Executive Director. Attachment

- G. **Resolution No. 2012-13 Authorizing the Submittal of Applications for Federal Funding for Federal Fiscal Year 2014:**
Sponsor: Anthony J. Mortillaro, NCRTD Executive Director and Linda Trujillo, Service Development Manager. Attachment

DISCUSSION ITEMS:

- H. **Update of the Jim West Regional Transit Center:**
Sponsor: Anthony J. Mortillaro, NCRTD Executive Director and Mitch Davenport, Project Manager.
- I. **Financial Report for May 2012:**
Sponsor: Anthony J. Mortillaro, NCRTD Executive Director and Kelly Muniz, Financial Manager. Attachment
- J. **Finance Subcommittee Report:**
Sponsor: Chair Tim Vigil and Anthony J. Mortillaro, NCRTD Executive Director. Attachment to be distributed
- K. **Tribal Subcommittee Report: NA**
Sponsor: Chair Mary Lou Valerio and Anthony J. Mortillaro, NCRTD Executive Director. No attachment next meeting June, 2012
- L. **Executive Report for May 2012 and Comments from the Executive Director:**
Sponsor: Anthony J. Mortillaro, NCRTD Executive Director. Attachment

MATTERS FROM THE CHAIR

MATERS FROM THE BOARD

MISCELLANEOUS

ADJOURN

NEXT BOARD MEETING: *July 6, 2012 at 9:00 am,
 location to be announced.*

If you are an individual with a disability who is in need of a reader, amplifier, qualified Sign Language interpreter or any other form of auxiliary aid or service to attend or participate in the hearing of the meeting, please contact the NCRTD Executive Assistant at 505-438-3257 at least one week prior to the meeting, or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.



**North Central Regional Transit District
Board Meeting
Friday, April 13, 2012**

CALL TO ORDER:

A regular meeting of the North Central Regional Transit District Board was called to order on the above date by Anthony Mortillaro at 9:00 a.m. at the Buffalo Thunder Resort Convention Center, Pojoaque, New Mexico. He explained that no officers were present, and requested that Board's concurrence to convene the meeting. Later in the meeting the Board acted on the bylaws in this regard.

1. Pledge of Allegiance

2. Moment of Silence

3. Roll Call

Roll call indicated the presence of a quorum as follows:

Members Present:	Elected Members	Alternate Designees
Los Alamos County		
Taos County	<i>Commissioner Dan Barrone [T]</i>	
Santa Fé County	<i>Commissioner Kathy Holian</i>	
Rio Arriba County	<i>Commissioner Barney Trujillo</i>	
Ohkay Owingeh		
Pojoaque Pueblo	<i>Mr. Tim Vigil</i>	
San Ildefonso Pueblo		
Santa Clara Pueblo		<i>Ms. Mary Lou Valério</i>

Tesuque Pueblo		
City of Santa Fé	<i>Councilor Patti Bushee</i>	<i>Mr. Jon Bulthuis</i>
City of Española	<i>Councilor Tim Salazar</i>	

Staff Members Present

Mr. Anthony Mortillaro, Executive Director
 Ms. Linda Trujillo, Service Development & Projects Manager
 Mr. Mike Kelly, Transit Operations Manager
 Ms. Kelly Muniz, Financial Manager
 Mr. Jim Nagel, PIO

Others Present

Mr. Dave Harris, NMDOT [T]
 Ms. Judith Amer, City of Santa Fé
 Mr. Andrew Jandáček, Santa Fé County
 Mr. Greg White, NMDOT
 Mr. Antoine Broustra, Southwest Planning and Marketing
 Mr. Mitch Davenport, Construction Manager (Jim West Transit Center)

4. INTRODUCTIONS

Those who were present introduced themselves to the Board.

5. APPROVAL OF AGENDA

Commissioner Trujillo moved to approve the agenda as presented. Commissioner Holian seconded the motion and it passed by unanimous voice vote.

6. APPROVAL OF MINUTES

- Minutes of Regular Meeting on March 2, 2012

Commissioner Holian moved to approve the minutes of March 2, 2012 as presented. Ms. Valério seconded the motion and it passed by unanimous voice vote.

7. PUBLIC COMMENTS

There were no public comments.

PRESENTATION ITEMS: Introduction of New Staff Members

Mr. Mortillaro introduced two new staff members, Mike Kelly and Jim Nagel. Mike Kelly was hired a month ago as the new Transit Operations Manager to replace Ivan Guillen, who retired. He has 30 years' experience in transportation, most recently with Santa Fé Trails. Jim Nagel was hired three weeks ago as the Public Information Officer. Mr. Nagel had 25 years in marketing and Public Relations. Both of them summarized their experience and the Board welcomed them to the NCRTD staff.

ACTION ITEMS FOR DISCUSSION/APPROVAL

A. ELECTION OF OFFICERS

Commissioner Holian nominated Commissioner Barrone as Chair. Commissioner Trujillo seconded the nomination. There were no other nominations made and the Board elected Commissioner Barrone by unanimous voice vote.

Councilor Salazar nominated Commissioner Trujillo to be Vice Chair.

Commissioner Holian nominated Councilor Geoff Rodgers to be Vice Chair.

No others were nominated.

The roll call vote ended with a tie vote of 11 to 11.

The bylaws did not address what to do in a tie vote. Mr. Mortillaro said he had spoken with Councilor Rodgers who indicated he was willing to serve in any officer's position.

Commissioner Holian withdrew her nomination of Councilor Rodgers and Commissioner Trujillo was elected Vice Chair by acclamation.

Commissioner Barrone, Chairman asked Vice Chair Trujillo to continue to moderate the meeting.

Commissioner Holian nominated Councilor Geoff Rodgers for Secretary/Treasurer. Commissioner Barrone seconded the motion. There were no other nominations made and Councilor Rodgers was elected by unanimous roll call vote.

B. PRESENTATION AND DISCUSSION OF VOTING STRENGTHS ANALYSIS

Mr. Mortillaro said there had been questions about the voting analysis over the past few months and whether population changes would change the voting strength. He referred to tab B of the Board Packet for

the analysis and briefly reviewed it. Since Española now exceeded 10,000 in population, they would go from 2 votes to 3 votes and that was the only change to be considered.

He clarified that if there were differences, he could bring it back for further direction or the Board could accept this change as presented.

Councilor Bushee commented that the City of Santa Fé had made some annexations recently.

Mr. Mortillaro said he took the statistics off the 2010 census data. Some communities did challenge results and a change might be there but he wasn't sure it would change anything. He explained that Santa Fé city would have to exceed 79,999 for a change to be in order. He agreed to talk with county staff.

Councilor Bushee moved to adopt Option A as presented in the agenda report. Commissioner Holian seconded the motion and it passed by unanimous voice vote.

C. PRESENTATION OF SURVEY RESULTS

Mr. Mortillaro reported that during October, 2011 the District conducted a riders' survey for people riding during a specific week. It took some time to input the data and analyze it. The analysis was done by Southwest Planning and Marketing.

Mr. Antoine Broustra, from Southwest Marketing shared copies of his power point report and reviewed the results.

Councilor Bushee asked several questions about the survey including the "no beverages on the bus" problem.

Ms. Amer asked about drunken riders and if there was a policy to deal with that.

Mr. Mortillaro said staff had found needles or drug paraphernalia after riders left the bus. He was planning to bring a policy recommendation to protect the drivers and passengers as well from that and other inappropriate behavior. Drivers had been told they could refuse service to inebriated people. After allowing them on the bus, it might require law enforcement to intervene.

Mr. Kelly said it was a common problem in transit. Where he had worked before they had only verbal policies, not written. If drinkers behaved, it was okay but for addicted behavior, it was a problem.

Councilor Salazar thought this was a good survey.

Mr. Greg White asked about connecting with DOT Park and Ride.

Mr. Mortillaro didn't recall if that was on the survey.

Mr. White said if it was, he would like to have that information.

No Board action was requested, this item was informational only.

DISCUSSION ITEMS

D. UPDATE OF THE JIM WEST REGIONAL TRANSIT CENTER

Mr. Davenport provided a status update for the center. Heavy equipment had been moving a lot of dirt there. The good news was that the project was back on track and soil issues resolved. They began that on March 20 and included the alternates of the parking lot and Silkey Road.

The interior was 90% complete and the exterior was being addressed. With all the dirt being moved, they didn't have floor finishes being done yet. All utilities were installed to subgrade and all lights were located. The interior was awaiting the exterior work now.

Silkey Way and the parking lot were going through the electrical runs. The big issue was the soils. They were using a filter fabric. They found they didn't have moisture problems in all areas and have realized some savings. The contractor performance was satisfactory.

Vice Chair Trujillo asked how many people were working at the site. He had never seen more than two men working there. He asked if there was a timeline when paving would be finished.

Mr. Davenport said the timeline was July 1. They started the site work on March 20 and there was an enormous amount of work that was estimated to take 120 days.

Vice Chair Trujillo thought the length was because there were too few men doing the work.

Mr. Davenport's experience was different. On his site visits there were at least 3 major earth moving machines being operated. The surveyors located curb gutter and lighting and earth movers were at those times working in the rear. They were not ahead of schedule but had caught up. The fiber contractor had to be in sync with the general contractor.

When he had been there, it was an adequate amount of activity. Some were working 5-6 days. They have six men on site. There was not a whole lot going on in the inside right now.

E. FINANCIAL REPORT FOR MARCH 2012

Ms. Muniz reviewed the financial report for March 2012.

She added a financial summary for this month. This was at 75% of the fiscal year and they had received 62% of revenues and had pending reimbursements from FHWA. The GRT was two months behind. Los Alamos was anticipating a decrease in GRT and Santa Fé GRT had been a little higher. Taos and Rio Arriba were steady.

Capital expenditures were lagging behind but would catch up.

The NMIG auditors have begun their review. She was still working with the NMIG auditor who was going back four years and an audit of Federal 5311 funds had taken place. She was getting ready for state audits.

Commissioner Holian asked if she thought the District would be on budget at year's end.

Ms. Muniz thought so and was now projecting a surplus in revenue.

Commissioner Holian asked if that was carried over. Ms. Muniz agreed.

F. FINANCE SUBCOMMITTEE REPORT

Mr. Vigil said the subcommittee met on March 23 and had one agenda item - the sick leave incentive program. Mr. Mortillaro had prepared a proposal for the committee to figure out how to reduce sick leave use. One was a sell back option and the other a transfer proposal.

Mr. Mortillaro said he prepared two proposals, based on the discussions at the subcommittee. He reported that one year 93% of accrued leave was taken in sick leave absences which was very high. The next year it was 63% and this year to date was about 75%. So current policy was not encouraging judicious use of sick leave. Right now the policy was "use it or lose it." They decided to try more of a carrot than a stick approach. Management could require justification for use of sick leave.

Sick leave transfer would allow a transfer of a certain amount of unused sick leave into vacation leave and if the employee used 3 or fewer days of sick leave they could transfer 100% of its value down to 50%.

In the sell back proposal, the employee could sell back certain sick leave with the same percentages. The first option would cost about \$7,000 and the other about \$16,000. The committee liked both programs and felt he should present to staff which one they would prefer to ask the Board to consider.

Commissioner Barrone asked when it came back for him to share the cost and asked if there was a donation of sick leave in this also.

Mr. Mortillaro said a fiscal analysis would be part of the proposal. Currently, they could develop a sick leave donation program but there had never been any donations in the District's history. He didn't envision doing that. If a staff member ran short, they might have to be on leave without pay. There was a challenge with sick leave donation given the different rates of pay. It was also dependent on popularity. The state disability program had changed from a 7-day wait and to a 28-day waiting period for Short Term Disability Insurance so an employee would have to have 28 sick days to carry them to that point. That required careful management of sick leave accrued.

Ms. Amer asked what the maximum accrual of annual leave was.

Mr. Mortillaro said it was two times annual leave.

Councilor Bushee had a problem regarding no attendance by city councilors on the Finance sub-committee.

Mr. Vigil explained that the meetings of the Finance Sub-committee were previously open to all the board members and some did attend but not always the same people. The District had four counties and the cities could be represented by a county representative so it was four county representatives and one from the tribes. Councilors were not excluded from the meetings but voting was by four counties and the tribes.

Mr. Mortillaro added that they could not have a quorum of the Board. If there were six members it would constitute a meeting of the Board.

Ms. Amer agreed with that interpretation.

Councilor Bushee suggested that budgetary matters should be handled at the Board.

Mr. Vigil explained that all votes of the sub-committee were recommendations to the Board who had the final say.

Councilor Bushee and Mr. Vigil discussed the issue further.

Councilor Bushee understood there was no weighted voting in the subcommittee. She wanted to pursue a way to lock the financial information down.

Mr. Mortillaro said the resolution was approved at the last Board meeting creating the new Finance Sub-Committee structure.

Commissioner Barrone explained that it was taken because there were lots of people showing up for those meetings.

Mr. Mortillaro said they needed to insure there was not a quorum of the Board but that it was transparent.

Councilor Bushee felt it was not a fair representation for that sub-committee.

Mr. Vigil said the Board could do away with the sub-committee but would make the Board meetings six hours long.

Councilor Bushee felt it was punitive and she would be ready for long meetings.

G. TRIBAL SUBCOMMITTEE REPORT

Ms. Valério presented the report.

They met on March 20 at Buffalo Thunder and addressed tribal ridership. A letter was sent to non-member tribes and only one response was received. They also discussed the Nambé route.

They also discussed federal tribal funding. Applications were due on May 10.

Mr. Mortillaro noted that Ohkay Owingeh was applying on their own. He had not heard from the other tribes. That was where it stood now.

Ms. Valério discussed schedule updates. The last schedule was done in 2008.

The next Tribal Subcommittee meeting would be on June 19th (quarterly, not monthly).

H. EXECUTIVE DIRECTOR REPORT FOR MARCH 2012 AND COMMENTS FROM THE EXECUTIVE DIRECTOR

Mr. Mortillaro addressed the collective bargaining issue. He went to a conference with PERLB and had a Teamster representative there. One discussion was who would be included in the collective bargaining unit - only drivers and dispatchers and no temps, probationary or managers would be included. That would leave about 26-27 staff members.

They entered into an election agreement to take place on May 8. There would be three voting locations for easy access - Taos, Española and Santa Fé. They agreed on hours and observers and tabulation of votes. At least 40% of the employees must vote to make formation of a union happen. If a majority was in favor, they would go through the process to establish collective bargaining.

MATTERS FROM THE CHAIR

Chairman Barrone was not present.

MATTERS FROM THE BOARD

Mr. Vigil moved to suspend the bylaws for this meeting in order to allow the meeting to be convened without a Chair or Vice Chair present at the outset. Councilor Bushee seconded the motion and it passed by unanimous voice vote.

MISCELLANEOUS

Mr. Bulthuis announced that Buffalo Thunder was hosting the state transit conference this weekend. He offered to share the agenda for interested people.

ADJOURN - Next meeting was scheduled for May 4th.

Councilor Bushee moved to adjourn the meeting. Ms. Valério seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 10:51 a.m.

Approved by:

Barney Trujillo, Vice Chair

Attest:

Geoffrey Rodgers, Secretary

Submitted by:

Carl Boaz, Stenographer



**North Central Regional Transit District
Board Meeting
Friday, May 4, 2012**

CALL TO ORDER:

A regular meeting of the North Central Regional Transit District Board was called to order on the above date by Daniel Barrone, Chair, at 9:24 a.m. at the LANL Foundation Board Room, 112 Plaza Del Norte, Española, New Mexico.

1. Pledge of Allegiance

2. Moment of Silence

3. Roll Call

Roll call indicated the absence of a quorum as follows:

Members Present:	Elected Members	Alternate Designees
Los Alamos County	<i>Councilor Geoff Rodgers</i>	
Taos County	<i>Commissioner Dan Barrone</i>	
Santa Fé County		
Rio Arriba County		
Ohkay Owingeh		
Pojoaque Pueblo		
San Ildefonso Pueblo		

Santa Clara Pueblo		
Tesuque Pueblo		
City of Santa Fé		<i>Mr. Jon Bulthuis</i>
City of Española		

Commissioner Holian requested an excused absence.

Staff Members Present

Mr. Anthony J. Mortillaro, Executive Director
 Mr. Nick Molina, Driver
 Mr. Mike Kelly, Transit Operations Manager
 Ms. Kelly Muniz, Financial Director
 Mr. Jim Nagel, PIO
 Mr. Pat López, Budget Analyst

Others Present

Mr. Carl Boaz, Stenographer
 Mr. Peter Dwyer, Legal Counsel
 Ms. Judith Amer, City of Santa Fé [telephonically]
 Mr. Andrew Jandáček, Santa Fé County

4. INTRODUCTIONS

No introductions were made.

5. APPROVAL OF AGENDA

No quorum.

6. APPROVAL OF MINUTES

- **Minutes of Regular Meeting on April 13, 2012**

No quorum.

7. PUBLIC COMMENTS

There were no public comments.

PRESENTATION ITEMS: **Recognition of Nick Molina, Driver – NMPTA Award and State Representative at the National Road-eo, CTAA in the van class.**

Chair Barrone recognized driver Nick Molina for the award he won at the national road-eo. He presented the award to him and those present congratulated him for his achievement.

ACTION ITEMS FOR DISCUSSION/APPROVAL

A. Proposed FY 13 Budget

Not considered.

B. Review and Adoption by Resolution No. 2012-09 Rider Suspension Policy

Not considered.

C. Review and Adoption by Resolution No. 2012-08, Commerical Advertising Policy

Not considered.

DISCUSSION ITEMS:

D. Update of the Jim West Regional Transit Center

Not considered.

E. Financial Report for April 2012

Not considered.

F. Finance Subcommittee Report

Not considered.

G. Tribal Subcommittee Report

There was no Tribal Subcommittee Report.

H. Executive Report for April 2012 and Comments from the Executive Director

Not considered.

MATTERS FROM THE CHAIR

Chair Barrone asked that staff and board members call our fellow members to gain a quorum at June's meeting.

MATTERS FROM THE BOARD

Councilor Rodgers asked if there was anything on this agenda that would cause a problem for not being considered today.

Chair Barrone said there was not but the Board would have to approve the budget at June's meeting. Everything else would just scroll forward to June's meeting. We have to have a quorum then.

He thought the budget looked positive, although level.

MISCELLANEOUS

There were no miscellaneous matters.

ADJOURN - Next Board Meeting: June 1, 2012, 9:00 a.m.

Councilor Rodgers moved to adjourn the meeting. Mr. Bulthuis seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 9:41 a.m.

Approved by:

Dan Barrone, Chair

Attest:

Geoff Rodgers, Secretary-Treasurer

Submitted by:

Carl Boaz, Stenographer



Agenda Report
NCRTD Board of Directors Meeting
Meeting Date: June 1, 2012
Agenda Item - A

Title: Public Hearing and Presentation and Discussion of the Draft Fiscal Year (FY) 2013 Budget.

Prepared By: Anthony J. Mortillaro, NCRTD Executive Director

Summary: Attached budget message and summary.

Background: Annually a draft budget is prepared and initially submitted to the Finance Sub-Committee and then forwarded to the Board with recommendations. A budget is required to be adopted by the Board by June 30 and submitted to the State Department of Finance and Administration.

Recommended Action: At the Finance Sub Committee meeting on April 27, 2012 the Committee moved to unanimously recommended approval of the budget as presented. It is proposed that the Board discuss the draft FY 2013 budget and provide direction to staff regarding the draft budget. The Public Hearing for the FY 2013 Budget is also scheduled for June 1, 2012 and following this hearing the Board would act on adoption of the Budget by Resolution.

Options/Alternatives: None, a budget is required to be adopted by the Board. The Board can elect to accept the budget as recommended by the Finance Sub-Committee or to initiate additional modifications.

Fiscal Impact: See attached budget.

Attachments: FY 2013 Draft Budget

EXECUTIVE DIRECTOR'S BUDGET MESSAGE

Dear Board of Directors and Citizens of the North Central Regional Transit District:

I am pleased to present for your review and consideration the North Central Regional Transit District (NCRTD) proposed Budget for Fiscal Year (FY) 2013. The proposed budget reflects compliance with the Finance Policies; direction provided to staff on an ongoing basis by the Board and the recent accepted Long Term Financial and Strategic Plan (LTFP) and adopted Capital Investment Plan (CIP).

The proposed budget is balanced for FY13. Overall expenditures for FY 13 total \$9,764,680. In comparison, the budget as amended and adopted for FY 12 totaled \$11,070,716. The FY 13 budget as presented has decreased by \$1,306,036 or 11.8%.

FY 12 was a year in which some local economies within the District's service area continued to gradually improve. This can be seen in the increases shown in the monthly collection of Transit Gross Receipts Tax (GRT). This revenue source comprises approximately 72% of the District's operating revenues. The balance of the District's revenue is derived from federal allocations (20%) and the Los Alamos County contribution (5%). In addition, FY 12 was also a year in which the area's largest employer Los Alamos National Laboratory announced the need to reduce staffing levels and an anticipation of reduced federal funding and spending. This reduction in spending will have an impact on GRT generated and received from the District's Los Alamos base. Lastly, Federal funding continues to be in a state of flux due to the Congress's approval of a continuing resolution and lack of concurrence on a long term transit funding bill. The good news is that funding appears to be remaining at existing levels.

In FY 12 and likely to continue into FY 13 is the fluctuation of fuel prices due to ongoing market speculation as a result of instability in world politics; as such the District has budgeted for future fuel increases. A decrease in funding contributions from Los Alamos County has been absorbed in the proposed budget and based upon long term financial projections, its impact will need to be closely monitored and adjustments may need to be made in the District's Transit GRT allocation for regional services provided by other entities in near future years.

In FY 12, year to date ridership trends point to another year of double digit increases, which is anticipated in the 20% range. When one looks back at the ridership for the first year (2007) at 48,600 and the projected 186,000 riders for this year, it is amazing how much the District's service has become essential for connecting Northern New Mexico communities. FY 13 is anticipated to continue to see a growth in ridership and the District's efforts in promoting service awareness are funded in this proposed budget. The Jim West Transit Center will be completed in early July, 2012 and the District will occupy this facility. The budget has been adjusted to address the increased costs associated with the ownership of a facility of this size and manner. Lastly, the FY 13 budget anticipates continued investment in District fleet and infrastructure and acquisition and implementation of technology that will place the District among the forefront of modern transit systems in New Mexico and the Nation.

As a result of past and continuing conservative fiscal practices the District has weathered any ill effects from the downturn in the economy that has plagued many of the governmental entities in the nation and state and has contributed to a stable and health financial condition we enjoy today. The Long Term Financial and Strategic Plan has provided us the ability to focus our efforts on long-term initiatives, including funding for necessary service delivery, maintenance and capital needs, without compromising our financial future and allows us to balance our attention on both the short-term and long-term needs of the District. This strategic emphasis permits the District the latitude to determine what level of service is sustainable over a long period of time so that reserves can be maintained and enhanced during economical positive times and spent in a period of difficult financial transitions in order to maintain service levels. The continued availability of quality and essential public transportation is of critical importance to our constituents and our District's future. This proposed budget continues to provide for prudent spending, capital investment, service improvement and most importantly investment in our employees who are the most essential asset of the District.

We appreciate the support of our member entities and state and federal legislators. Our region shares the challenge of a recessionary economy and weakened tax revenues along with great demands for services which we will need to continue to work together to assure that quality of life in our service area is maintained and enhanced as resources permit.

I would like to end this message with this quote that sums up what I believe to be reflective of our Districts perseverance: "You can't change the wind, but you can adapt your sails to always reach your destination!"

Sincerely,



Anthony J. Mortillaro
Executive Director

OUR MISSION

The Mission of the North Central Regional Transit District is to provide safe, secure and effective public transportation within North Central New Mexico, in order to enhance the quality of life of our citizens, by providing mobility options and to spur economic development throughout the region.

GOALS

- 1. Establish a reliable and adequate source of financing for the NCRTD transit services.*
- 2. Increase personal mobility so that more people can contribute to, and participate in, the economic and social life of the larger community.*
- 3. Ensure that citizens of the NCRTD have access to critical lifeline services.*
- 4. Ensure that the NCRTD Service Plan is consistent and complementary to the Regional Transportation Policy Plan.*
- 5. Refine a set of performance targets that permits the Board to make decisions to maximize the use of all funds made available to the NCRTD.*
- 6. Reduce dependence on the private auto to contribute to improved air quality, reduce urban sprawl and lower levels of traffic congestion.*



Draft Fiscal Year 2013 Budget Summary

Revenues:

- The federal revenue projection contained in this budget is premised upon a recommended award of Federal Funds passed through the NMDOT Transit and Rail Division for FY 13. The amount of funds was confirmed by the DOT at a April 25, 2012 meeting for review of their recommended budget awards.
- NCRTD Transit GRT is based upon current year to date collections and projections of what is likely to transpire in the remainder of the year. As in the past we have chosen to be conservative in estimating for the upcoming budget year and are therefore estimating a flat revenue projection.
- Los Alamos County contribution reflects a decrease of funding from prior years.
- A cash balance carryover is contained in the revenues to account for final payment on the remainder of expenditures related to the new transit center and furniture, fixtures and equipment that will need to be purchased for the new building.

Expenditures:

- Overall Expenditures for FY 13 total \$9,764,680. In comparison FY 12 budgeted expenditures totaled \$11,070,716. The FY 13 budget expenditures are \$1,306,036 less (-11.8%).
- No service reductions. However some routes may be adjusted in the near future based upon the upcoming route assessment and analysis and service plan update.
- No new routes are contemplated unless new recurring revenue can be found or other routes are curtailed and those funds used for the new route.

- Staffing is anticipated to increase by 2 full time equivalent (FTE) positions. The new positions being requested are custodian and facility maintenance. The Custodial position requested will provide for the daily cleaning of the ~12,000 square foot facility. The Facility Maintenance position will provide for the annual preventative maintenance of the HVAC systems, lighting, plumbing, and landscape and irrigation systems. This position will also be responsible for the maintenance of all field shelters, bus stops and associated signage, weeds, graffiti and trash removal and light fleet maintenance activities. Lastly, we have appropriately classified driver positions that in the past were used as part-time but were actually working as full-time positions; as a result there are some increased costs for benefits associated with this adjustment.
- Contractual services will be increasing to account for the update of the Service Plan.
- Utilities and Fuel line items reflect increased expenditures. The utility line item is for natural gas, electric, water, sewer and solid waste removal at the new transit facility. It has been very challenging to project what these costs are likely to be in FY 13 since the District currently does not own any buildings and as a result it has no baseline to project from. Fuel is anticipated to increase over prior years due to ongoing instability in geo-political international relationships which influences gasoline prices.
- Staff compensation reflects a 3% place holder for performance based increases. To date we have not been able to update our compensation plan which was created in 2007 and a wage survey to ensure comparability and competitiveness needs to be undertaken. In addition, to ensure long term career development in the Driver position, staff is evaluating the creation of several career ladder classifications and the implications from such will have budgetary impacts that will need to be addressed. Lastly, no funds have been allocated within this budget to address any potential fiscal impacts related to the outcome of a collective bargaining agreement.
- NCRTD GRT allocations for regional services provided by Los Alamos County Atomic City Transit and Santa Fe Trails will remain basically flat and have been calculated on the formula utilized during the FY 12 budget year. The Rail Runner contribution is a fixed formula and reflects an increase in funding as a result of anticipated increased GRT collections in Santa Fe County.
- Capital Investment Plan (CIP) expenditures align with the 10 year plan that was reviewed, adjusted and accepted by the Board at its March 2012 meeting. Several items contained in the CIP had their costs adjusted and some are not funded by matching federal dollars and as such will be paid for by the transit

GRT. Those CIP items not federally funded are as follows: exterior HVAC enclosure and entry garage door, photovoltaic system, fueling facility and carryover building construction and furniture, fixtures and equipment and a snow plow attachment.

10 Year Capital Investment Plan: The attached CIP has been updated to reflect and align with the proposed budget.

Long Range Financial Plan: The attached chart reflects an update of the moderate case scenario, the proposed FY 13 budget, and CIP and future revenue and expenditure implications. Overall the District will continue to meet and exceed the Board's requirement for a 25% reserve amount through 2016 provided that no degradation of revenues occurs over the next three years. From 2017 through 2021 the District will need to assess its NCRTD GRT allocation for non-RTD provided services and/or increase its Federal funding for capital and other revenues to offset the reduction in the usage of the reserve to balance the budget. Based upon this Moderate Case Scenario no new routes can be funded unless a reoccurring revenue source is generated.

NORTH CENTRAL REGIONAL TRANSIT DISTRICT

FY13 BUDGET REQUEST

Financial Summary

	FY11	FY12		FY13	
	Actual	Budget	Year to Date 4/16/12	Base Request	Total Request
REVENUE SOURCES					
5311	1,037,276.00	1,151,040.00	741,400.00	1,376,040.00	1,376,040.00
5316	137,655.00	151,955.00	99,166.00	182,356.00	182,356.00
5309	51,323.00	616,921.00	131,913.00	0.00	0.00
5304	16,276.00	36,050.00	0.00	36,050.00	36,050.00
Tribal Transit	71,212.00	66,566.00	4,749.00	43,434.00	43,434.00
ARRA Stimulus	303,022.00	0.00	0.00	0.00	0.00
State of Good Repair		632,050.00	616,856.00	280,000.00	280,000.00
Gross Receipts Tax	7,479,786.00	7,075,929.00	4,288,848.00	7,013,800.00	7,013,800.00
LA Contribution	880,000.00	679,173.00	600,000.00	500,000.00	500,000.00
Cash Balance	660,000.00	621,032.00	250,000.00	333,000.00	333,000.00
Miscellaneous	28,716.00	40,000.00	33,205.00	0.00	0.00
TOTAL REVENUE	10,665,266.00	11,070,716.00	6,766,137.00	9,764,680.00	9,764,680.00

EXPENDITURES					
Personal Services	2,165,274.58	2,460,269.00	1,761,725.95	2,529,616.00	2,529,616.00
Contractual Services	190,869.46	293,600.00	158,291.01	419,800.00	419,800.00
Other Expenses	5,406,346.91	5,233,554.00	3,062,254.08	5,302,938.00	5,302,938.00
Capital	1,209,876.28	3,083,293.00	1,742,469.82	1,512,326.00	1,512,326.00
TOTAL EXPENDITURES	8,972,367.23	11,070,716.00	6,724,740.86	9,764,680.00	9,764,680.00

POSITIONS	FTE	No. of Employees	FTE	No. of Employees	FTE
Permanent Full Time (benefits)	40	42	42	47	47
Permanent Part-Time (benefits)				2	1
Part-Time (no benefits)	6	7	7	2	1
Temp Hours				1.1	1.1
TOTAL Positions	46	49	49	52.1	50.1

North Central Regional Transit District

Revenue by Source

Fund Source	Account Title	FY11 Actual	Budget	FY12 Year to Date 4/16/12	FY13 Base Request
5311/Federal Grant	ADMINISTRATION	526,495.70	604,930.00	418,642.59	482,040.00
5311/Federal Grant	OPERATING	415,192.73	482,110.00	322,756.93	605,000.00
5311/Federal Grant	CAPITAL	95,587.46	64,000.00	0.00	289,000.00
5311 Total		1,037,275.89	1,151,040.00	741,399.52	1,376,040.00
5316 /Federal Grant	JARC/OPERATING	137,655.17	151,955.00	99,166.05	182,356.00
5304/Federal Grant	PLANNING	16,275.60	36,050.00		36,050.00
Federal Grant	Tesuque Tribal FTA	0.00	66,566.00	4,749.00	43,434.00
Federal Grant	Arra Stimulous	303,022.00	0.00	0.00	0.00
Federal Grant	Tribal Transit	71,212.00	0.00	0.00	0.00
5309/Federal Grant	Earmark	51,323.00	616,921.00	131,913.00	0.00
State of Good Repair/Federal Grant	Vehicles	0.00	632,050.00	616,855.96	280,000.00
Total Other Federal Grants		441,832.60	1,351,587.00	753,517.96	359,484.00
Cash Balance	LA Contribution	660,000.00			
Cash Balance	Building	0.00	621,032.00	250,000.00	333,000.00
Cash Balance Total		660,000.00	621,032.00	250,000.00	333,000.00
Los Alamos Contribution	LA Contribution	880,000.00	679,173.00	600,000.00	500,000.00
Gross Receipts Tax		7,479,786.00	7,075,929.00	4,288,847.85	7,013,800.00
Misc.		28,716.34	40,000.00	33,205.45	0.00
Subtotal		8,388,502.34	7,795,102.00	4,922,053.30	7,513,800.00
NCRTD Total		10,665,266.00	11,070,716.00	6,766,136.83	9,764,680.00

FY13 Budget Request - EXPENSE ROLL-UP

	FY11	FY12		FY13	
	Actual	Budget	Year to Date 4/16/12	Base Request	Total Request
	1,567,262.67	1,783,115.52	1,258,257.96	1,814,796.00	1,814,796.00
	598,011.91	677,153.48	503,467.99	714,820.00	714,820.00
TOTAL	2,165,274.58	2,460,269.00	1,761,725.95	2,529,616.00	2,529,616.00

Contractual Services	190,869.46	293,600.00	158,291.01	419,800.00	419,800.00
TOTAL	190,869.46	293,600.00	158,291.01	419,800.00	419,800.00

Other Expenses

Bank Service Charges	30.00	0.00	14.20	25.00	25.00
Penalties & Interest	1,154.95	0.00	9,399.58	500.00	500.00
Postage	1,293.45	2,700.00	1,685.87	1,500.00	1,500.00
Telephone	19,761.97	24,500.00	14,538.32	7,700.00	7,700.00
Cell Phone	5,542.91	4,560.00	2,907.55	5,932.00	5,932.00
Internet - Redi net	0.00	0.00	0.00	6,500.00	6,500.00
Advertising (jobs/grants)	1,524.56	5,000.00	3,000.00	4,500.00	4,500.00
Advertising (marketing)	91,340.09	50,000.00	10,165.03	56,850.00	56,850.00
IT Hardware/Software Support	10,777.48	7,000.00	2,000.00	6,000.00	6,000.00
Dues and Subscriptions	5,952.10	6,100.00	1,460.00	6,600.00	6,600.00
Equipment Rental	4,365.00	4,400.00	3,835.00	6,900.00	6,900.00
Equipment Repair & Maint	7,011.22	6,000.00	2,449.48	5,500.00	5,500.00
Property Insurance	38,927.00	38,963.50	11,560.00	39,000.00	39,000.00
Civil Rights/emp liability	3,500.00	25,000.00	21,119.00	25,000.00	25,000.00
Workers Comp Ins	0.00	73,308.00	73,119.38	70,500.00	70,500.00
Vehicle Insurance	41,371.15	74,425.00	62,267.83	66,000.00	66,000.00
Meals and Meeting Expenses	1,912.29	2,500.00	1,705.00	4,200.00	4,200.00
Office Rent	24,111.16	19,200.00	21,600.00	2,400.00	2,400.00
Utilities	7,941.26	30,500.00	23,696.00	51,700.00	51,700.00
Janitor	4,781.13	6,426.00	7,381.00	1,500.00	1,500.00
Drug and Alcohol Testing	500.00	1,200.00	300.00	1,500.00	1,500.00

Pre-Emp D&A Testing	0.00	0.00	0.00	3,000.00	3,000.00
Printing	3,132.30	8,000.00	4,507.05	19,000.00	19,000.00
Office Supplies	23,453.21	20,000.00	11,480.66	22,690.00	22,690.00
Furn & Equip under 5k	19,392.45	36,000.00	38,031.16	13,000.00	13,000.00
Software - MIP	6,000.00	6,000.00	6,000.00	7,500.00	7,500.00
Janitorial Supplies	723.00	4,700.00	1,221.00	6,000.00	6,000.00
Training/Regist Fees Classes	6,742.14	7,525.00	1,489.96	9,900.00	9,900.00
Mileage	21,494.23	6,150.00	3,695.69	7,150.00	7,150.00
Per Diem	1,424.46	11,300.00	4,198.46	12,461.00	12,461.00
Misc Expenses	0.00	0.00	80.61	3,150.00	3,150.00
City of SF/Los Alamos	2,423,305.92	0.00	0.00	0.00	0.00
Railrunner Operations	2,106,566.52	1,774,344.00	1,522,279.58	1,823,588.00	1,823,588.00
Los Alamos County	0.00	1,415,186.00	536,331.14	1,402,760.00	1,402,760.00
City of Santa Fe	0.00	967,630.00	292,890.14	981,932.00	981,932.00
Building Maintenance	15,966.02	10,000.00	316.96	10,000.00	10,000.00
Supplies	689.00	500.00	500.00	2,000.00	2,000.00
Maint/Machinery/Equipment	5,767.45	1,500.00	110.00	4,000.00	4,000.00
Snow Removal (MA Agora)	6,000.00	6,000.00	3,200.00	6,000.00	6,000.00
Uniforms	8,370.00	10,000.00	3,812.32	14,000.00	14,000.00
Shop Supplies	11,096.84	9,000.00	5,588.72	7,000.00	7,000.00
Physicals	6,258.00	500.00	1,405.79	3,000.00	3,000.00
Fuel	304,352.50	384,000.00	273,575.80	420,000.00	420,000.00
Cell Tower Rental Fees	2,100.00	5,400.00	0.00	5,400.00	5,400.00
Oil & Lubricants	17,402.60	17,000.00	8,602.68	15,000.00	15,000.00
Hazardous Waste Disposal	0.00	4,000.00	0.00	4,000.00	4,000.00
Replacement Parts	45,702.68	43,000.00	24,975.04	38,000.00	38,000.00
Tires	24,826.73	28,000.00	9,918.93	22,000.00	22,000.00
Vehicle Maint	70,270.14	92,000.00	48,823.47	70,000.00	70,000.00
Painting	3,513.00	5,000.00	3,899.68	10,000.00	10,000.00
Wireless/Internet - Bus	0.00	0.00	0.00	1,500.00	1,500.00
TOTALS - Operating Expenses	5,406,346.91	5,233,554.00	3,062,254.08	5,302,938.00	5,302,938.00

Capital Expenses					
Buildings	933,119.86	1,989,465.00	949,819.65	180,000.00	180,000.00

Furniture/Fixtures	0.00	223,766.00	13,831.21	192,326.00	192,326.00
Other Capital Expenses	276,756.42	870,062.00	778,818.96	1,140,000.00	1,140,000.00
TOTALS - Capital Expenses	1,209,876.28	3,083,293.00	1,742,469.82	1,512,326.00	1,512,326.00
GRAND TOTAL	8,972,367.23	11,070,716.00	6,724,740.86	9,764,680.00	9,764,680.00

Department - ADMINISTRATION

	FY11	FY12		FY13	
Acct Title	Actual	Budget	Year to Date 4/16/12	Base Request	Total Request
Employee Salaries	271,023.24	269,776.00	188,840.24	290,425.00	290,425.00
Employee Benefits	107,420.25	116,144.60	79,663.05	117,890.68	117,890.68
TOTAL	378,443.49	385,920.60	268,503.29	408,315.68	408,315.68

Contractual Services	170,199.73	190,100.00	104,791.01	323,500.00	323,500.00
TOTAL	170,199.73	190,100.00	104,791.01	323,500.00	323,500.00

Other Expenses	261.45	500.00	500.00	500.00	500.00
Postage	9,224.28	8,000.00	7,800.00	2,000.00	2,000.00
Telephone	1,343.96	1,500.00	2,200.00	2,022.00	2,022.00
Cell Phone	0.00	0.00	0.00	1,500.00	1,500.00
Internet - Redi net	1,524.56	5,000.00	3,000.00	4,500.00	4,500.00
Advertising (jobs/grants)	91,340.09	50,000.00	10,165.03	56,850.00	56,850.00
Advertising (marketing)	4,138.74	1,000.00	400.00	1,000.00	1,000.00
IT Hardware/Software Support	5,952.10	5,800.00	1,200.00	5,800.00	5,800.00
Dues and Subscriptions	1,175.89	1,000.00	338.48	1,000.00	1,000.00
Equipment Repair & Maint	4,963.50	4,963.50	4,963.50	5,000.00	5,000.00
Property Insurance	0.00	0.00	0.00	0.00	0.00
Civil Rights	0.00	0.00	0.00	0.00	0.00
Vehicle Insurance	1,508.61	2,000.00	1,205.00	3,100.00	3,100.00
Meals and Meeting Expenses	2,234.54	3,000.00	2,176.00	350.00	350.00
Utilities	3,187.42	3,000.00	3,000.00	500.00	500.00
Janitor	0.00	0.00	0.00	0.00	0.00
Drug and Alcohol Testing	626.46	7,000.00	4,149.05	17,000.00	17,000.00
Printing	3,948.63	4,760.00	1,470.66	4,760.00	4,760.00
Office Supplies	3,625.00	15,000.00	19,447.00	3,000.00	3,000.00
Furn & Equip under 5k	0.00	350.00	350.00	0.00	0.00
Janitorial Supplies					

Training	4,599.00	4,025.00	1,000.03	4,000.00	4,000.00
Mileage/fares	19,607.23	4,100.00	2,743.69	4,100.00	4,100.00
Per Diem	0.00	7,000.00	2,063.50	6,961.00	6,961.00
Misc Expenses	0.00	0.00	0.00	2,500.00	2,500.00
TOTAL	159,261.46	127,998.50	68,171.94	126,443.00	126,443.00
GRAND TOTAL	707,904.68	704,019.10	441,466.24	858,258.68	858,258.68

POSITIONS	FTE	No. of Employees	FTE	No. of Employees	FTE
Permanent Full Time (benefits)					
Executive Director	1	1	1	1	1
Executive Assistant	1	1	1	1	1
Marketing Manager/PIO	1	1	1	1	1
Special Project Manager	1	1	1	1	1
TOTAL Positions	4	4	4	4	4

Department - FINANCE

	FY11	FY12		FY13	
Acct Title		Budget	Year to Date 4/16/12	Base Request	Total Request
Employee Salaries	161,848.25	153,462.39	115,096.79	157,385.00	157,385.00
Employee Benefits	55,548.50	59,778.01	44,833.51	72,210.93	72,210.93
TOTAL	217,396.75	213,240.40	159,930.30	229,595.93	229,595.93

Contractual Services	20,669.73	35,000.00	53,500.00	29,500.00	29,500.00
TOTAL	20,669.73	35,000.00	53,500.00	29,500.00	29,500.00

Other Expenses	30.00	0.00	14.20	25.00	25.00
Bank Service Charges	1,154.95	0.00	9,399.58	500.00	500.00
Penalties & Interest	500.00	1,500.00	597.87	700.00	700.00
Postage	1,650.00	1,500.00	1,235.00	1,500.00	1,500.00
Telephone	0.00	0.00	0.00	0.00	0.00
Cell Phone	0.00	0.00	0.00	1,500.00	1,500.00
Internet - Redi net	0.00	0.00	0.00	0.00	0.00
Advertising (jobs/grants)	0.00	0.00	0.00	1,500.00	1,500.00
IT Hardware/Software Support	2,000.00	2,000.00	400.00	0.00	0.00
Software - MIP	6,000.00	6,000.00	6,000.00	2,000.00	2,000.00
Dues and Subscriptions	0.00	300.00	260.00	7,500.00	7,500.00
Equipment Rental	2,400.00	2,400.00	2,230.00	500.00	500.00
Equipment Repair & Maint	1,175.89	1,000.00	0.00	4,900.00	4,900.00
Property Insurance	4,963.50	5,000.00	4,963.50	2,000.00	2,000.00
Civil Rights	0.00	0.00	0.00	5,000.00	5,000.00
Vehicle Insurance	0.00	0.00	0.00	0.00	0.00
Meals and Meeting Expenses	0.00	0.00	0.00	0.00	0.00
Office Rent	24,111.16	19,200.00	21,600.00	300.00	300.00
Utilities	1,117.27	3,000.00	2,176.00	2,400.00	2,400.00
Janitor (contract emp)	1,593.71	3,426.00	4,381.00	350.00	350.00
Drug and Alcohol Testing	0.00	0.00	0.00	1,000.00	1,000.00
				0.00	0.00

Printing	626.46	0.00	0.00	1,000.00	1,000.00
Office Supplies	3,948.63	3,810.00	600.00	5,810.00	5,810.00
Furn & Equip under 5k	10,000.00	15,000.00	15,000.00	3,000.00	3,000.00
Janitorial Supplies	0.00	350.00	0.00	0.00	0.00
Training	462.65	500.00	361.93	2,400.00	2,400.00
Mileage/Fares	36.67	500.00	200.00	1,500.00	1,500.00
Per Diem	256.00	2,000.00	500.00	2,000.00	2,000.00
Misc Expenses	0.00	0.00	80.61	150.00	150.00
TOTAL	62,026.89	67,486.00	69,999.69	46,035.00	46,035.00
GRAND TOTAL	300,093.37	315,726.40	283,429.99	305,130.93	305,130.93

POSITIONS	FTE	No. of Employees	FTE	No. of Employees	FTE
Permanent Full Time (benefits)					
Finance Manager	1	1	1	1	1
Financial Analyst	1	1	1	1	1
Financial Specialist	1	1	1	1	1
TOTAL Positions	3	3	3	3	3

Department - OPERATIONS ADMIN

	FY11	FY12		FY13	
	Actual	Budget	Year to Date 4/16/12	Base Request	Total Request
	224,063.80	225,966.00	145,896.88	184,974.00	184,974.00
	61,510.16	72,072.46	56,211.00	64,319.74	64,319.74
TOTAL	285,573.96	298,038.46	202,107.88	249,293.74	249,293.74

Contractual Services	0.00	0.00	0.00	2,500.00	2,500.00
TOTAL				2,500.00	2,500.00

Other Expenses

Postage	132.00	200.00	88.00	100.00	100.00
Telephone	6,402.69	3,000.00	542.11	1,500.00	1,500.00
Cell Phone	2,744.95	236.00	169.00	1,086.00	1,086.00
Internet - Redi net	0.00	0.00	0.00	1,000.00	1,000.00
Advertising (Jobs/grants)	0.00	0.00	0.00	0.00	0.00
IT Hardware/Software Support	2,069.37	1,000.00	400.00	1,000.00	1,000.00
Dues and Subscriptions	0.00	0.00	0.00	300.00	300.00
Equipment Rental	1,965.00	2,000.00	1,605.00	2,000.00	2,000.00
Equipment Repair & Maint	1,307.66	500.00	359.00	500.00	500.00
Property Insurance	0.00	0.00	0.00	0.00	0.00
Civil Rights	0.00	0.00	0.00	0.00	0.00
Vehicle Insurance	0.00	0.00	0.00	0.00	0.00
Meals and Meeting Expenses	0.00	0.00	0.00	0.00	0.00
Utilities	1,463.60	3,000.00	2,258.00	0.00	0.00
Janitor	0.00	0.00	0.00	0.00	0.00
Drug and Alcohol Testing	0.00	0.00	0.00	0.00	0.00
Printing/Copying	626.46	500.00	358.00	500.00	500.00
Office Supplies	4,658.69	3,810.00	4,200.00	3,810.00	3,810.00
Furn & Equip under 5k	1,500.00	4,000.00	2,434.16	4,000.00	4,000.00
Janitorial Supplies	0.00	500.00	0.00	0.00	0.00

Training	608.71	500.00	128.00	1,000.00	1,000.00
Mileage/Fares	1,446.85	700.00	0.00	700.00	700.00
Per Diem	358.46	1,300.00	958.96	1,300.00	1,300.00
Misc Expenses	0.00	0.00	0.00	0.00	0.00
TOTAL	25,284.44	21,246.00	13,500.23	18,796.00	18,796.00
GRAND TOTAL	310,858.40	319,284.46	215,608.11	270,589.74	270,589.74

POSITIONS	FTE	No. of Employees	FTE	No. of Employees	FTE
Permanent Full Time (benefits)					
Transit Operations Manager	1	1	1	1	1
Operations Analyst	1	1	1	1	1
Service Development Manager	1	1	1	1	1
TOTAL Positions	3	3	3	3	3

Department - OPERATIONS - DRIVERS

	FY11	FY12		FY13	
	Actual	Budget	Year to Date 4/16/12	Base Request	Total Request
Employee Salaries	922,484.18	1,141,509.13	774,488.05	1,084,335.00	1,084,335.00
Employee Benefits	354,617.32	405,354.50	305,880.00	415,496.01	415,496.01
TOTAL	1,277,101.50	1,546,863.63	1,080,368.05	1,499,831.01	1,499,831.01

Contractual Services					
TOTAL					

Other Expenses

Postage	300.00	500.00	500.00	0.00	0.00
Telephone	1,485.00	5,000.00	2,825.04	1,500.00	1,500.00
Cell Phone	854.00	2,200.00	434.55	2,200.00	2,200.00
Internet - Redi net	0.00	0.00	0.00	1,500.00	1,500.00
Advertising (jobs/grants)	0.00	0.00	0.00	0.00	0.00
IT Hardware/Software Support	2,069.37	1,000.00	400.00	1,000.00	1,000.00
Dues and Subscriptions	0.00	0.00	0.00	0.00	0.00
Equipment Repair & Maint	1,175.89	1,500.00	1,452.00	1,000.00	1,000.00
Property Insurance	0.00	0.00	0.00	0.00	0.00
Civil Rights/emp liab	3,500.00	25,000.00	21,119.00	25,000.00	25,000.00
Workers Compensation Ins		73,308.00	73,119.38	70,500.00	70,500.00
Vehicle Insurance	0.00	0.00	0.00	0.00	0.00
Meals and Meeting Expenses	403.68	500.00	500.00	800.00	800.00
Utilities	2,500.00	16,500.00	13,586.00	1,000.00	1,000.00
Janitor	0.00	0.00	0.00	0.00	0.00
NMDOT Drug and Alcohol Testing	500.00	1,200.00	300.00	1,500.00	1,500.00
Pre-Emp D&A Testing	0.00	0.00	0.00	3,000.00	3,000.00
Printing	626.46	500.00	0.00	500.00	500.00
Office Supplies	5,448.63	3,810.00	3,500.00	4,500.00	4,500.00
Supplies	689.00	500.00	500.00	2,000.00	2,000.00

Furn & Equip under 5k	1,767.45	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Janitorial Supplies	423.00	2,440.00	521.00	0.00	0.00	0.00
Training	771.78	2,000.00	0.00	2,000.00	2,000.00	2,000.00
Mileage/Fares	188.88	500.00	482.00	500.00	500.00	500.00
Per Diem	382.00	700.00	389.00	1,900.00	1,900.00	1,900.00
Misc Expenses	0.00	0.00	0.00	500.00	500.00	500.00
Uniforms	8,370.00	10,000.00	3,812.32	14,000.00	14,000.00	14,000.00
Physicals	6,258.00	500.00	1,405.79	3,000.00	3,000.00	3,000.00
Wireless/Internet - Bus	0.00	0.00	0.00	1,500.00	1,500.00	1,500.00
TOTAL	37,713.14	148,658.00	125,846.08	140,400.00	140,400.00	140,400.00
GRAND TOTAL	1,314,814.64	1,695,521.63	1,206,214.13	1,640,231.01	1,640,231.01	1,640,231.01

POSITIONS	FTE	No. of Employees	FTE	No. of Employees	FTE	No. of Employees	FTE
Permanent Full Time (benefits)							
Route Supervisors	2	2	2	2	2	2	2
Dispatchers	2	2	2	2	2	2	2
Drivers	25	27	27	30	30	30	30
Permanent Part-Time (benefits)							
Drivers				2	2	1	1
Part-Time (no benefits)							
Drivers	6	7	7	2	2	1	1
Temp Hours @ 2288	0	0	0	1.1	1.1	1.1	1.1
TOTAL Positions	35	38	38	39.1	39.1	37.1	37.1

Department - FLEET/FACILITY

	FY11	FY12	FY13
Acct Title	Actual	Budget	Total Request
Employee Salaries	40,883.20	40,794.00	97,677.00
Employee Benefits	18,915.68	23,803.91	44,902.64
TOTAL	59,798.88	64,597.91	142,579.64

Contractual Services	0.00	62,500.00	64,300.00
TOTAL	0.00	62,500.00	64,300.00

Other Expenses	100.00	0.00	200.00
Postage	1,000.00	7,000.00	1,200.00
Telephone	600.00	624.00	624.00
Cell Phone	0.00	0.00	1,000.00
Internet - Redi net	0.00	0.00	0.00
Advertising (jobs/grants)	500.00	2,000.00	1,000.00
IT Hardware/Software Support	0.00	0.00	0.00
Dues and Subscriptions	2,175.89	2,000.00	1,000.00
Equipment Repair & Maint	29,000.00	29,000.00	29,000.00
Property Insurance	0.00	0.00	0.00
Civil Rights	41,371.15	74,425.00	66,000.00
Vehicle Insurance	0.00	0.00	0.00
Meals and Meeting Expenses	625.85	5,000.00	50,000.00
Utilities	626.46	0.00	0.00
Printing/Copying	5,448.63	3,810.00	3,810.00
Office Supplies	2,500.00	1,000.00	2,000.00
Furn & Equip under 5k	300.00	1,060.00	6,000.00
Janitorial Supplies	300.00	500.00	500.00
Training	214.60	350.00	350.00
Mileage/Fares	428.00	300.00	300.00
Per Diem	0.00	0.00	0.00
Misc Expenses			

Maint/Machinery/Equipment	5,767.45	1,500.00	110.00	4,000.00	4,000.00
Building Maintenance	15,966.02	10,000.00	316.96	10,000.00	10,000.00
Snow Removal (MA Agora)	6,000.00	6,000.00	3,200.00	6,000.00	6,000.00
Shop Supplies	11,096.84	9,000.00	5,588.72	7,000.00	7,000.00
Fuel	304,352.50	384,000.00	273,575.80	420,000.00	420,000.00
Cell Tower Rental Fees	2,100.00	5,400.00	0.00	5,400.00	5,400.00
Oil & Lubricants	17,402.60	17,000.00	8,602.68	15,000.00	15,000.00
Hazardous Waste Disposal	0.00	4,000.00	0.00	4,000.00	4,000.00
Replacement Parts	45,702.68	43,000.00	24,975.04	38,000.00	38,000.00
Tires	24,826.73	28,000.00	9,918.93	22,000.00	22,000.00
Vehicle Maint	70,270.14	92,000.00	48,823.47	70,000.00	70,000.00
Painting	3,513.00	5,000.00	3,899.68	10,000.00	10,000.00
TOTAL	592,188.54	731,969.00	452,119.28	774,384.00	774,384.00
GRAND TOTAL	651,987.42	859,066.91	502,935.71	981,263.64	981,263.64

POSITIONS	FTE	No. of Employees	FTE	No. of Employees	FTE
Permanent Full Time (benefits)	1	1	1	1	1
Fleet/Facility Maintenance Manager	0	0	0	1	1
Facility Maintenance	0	0	0	1	1
Custodian	1	1	1	3	3
TOTAL Positions	1	1	1	3	3

Department - OPERATIONS - NON RTD

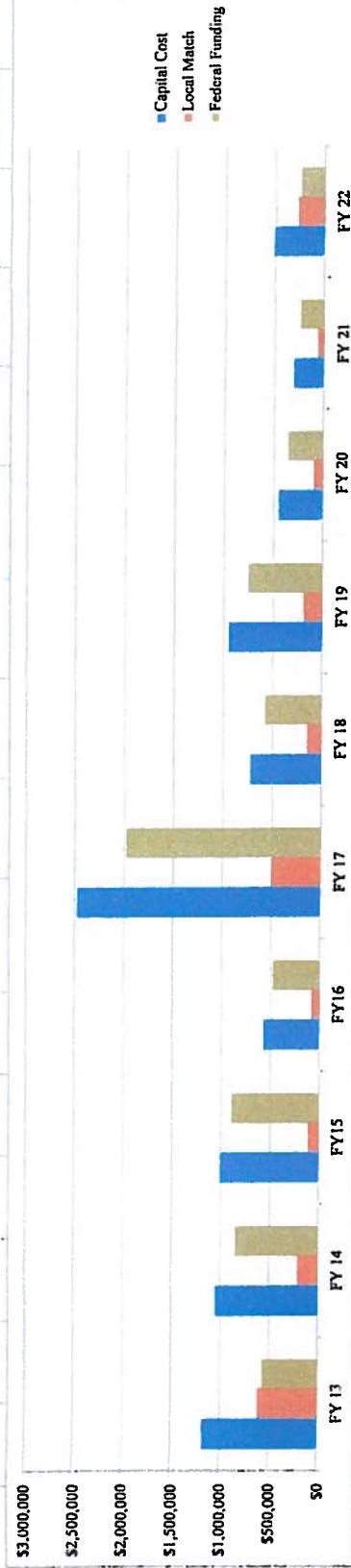
Acct Title	FY11 Actual	FY12		FY13	
		Budget	Year to Date 4/16/12	Base Request	Total Request
City of SF/Los Alamos	2,423,305.92				
Railrunner Operations	2,106,566.52	1,774,344.00	1,522,279.58	1,823,588.00	1,823,588.00
Los Alamos County	0.00	1,415,186.00	536,331.14	1,402,760.00	1,402,760.00
City of Santa Fe	0.00	967,630.00	292,890.14	981,932.00	981,932.00
GRAND TOTAL	4,529,872.44	4,157,160.00	2,351,500.86	4,208,280.00	4,208,280.00

Department - CAPITAL

GL Code	Acct Title	FY11	FY12		FY13	
		Actual	Budget	Year to Date	Base Request	Total Request
Other Expenditures						
6330105	Buildings	933,119.86	1,989,465.00	949,819.65	180,000.00	180,000.00
	Exterior HVAC Enclosure and entry garage door				30,000.00	
	Photovoltaic Electrical production				150,000.00	
	Bus Shelters	52,429.63	76,421.00	8,819.94		
	Buildings	880,690.23	1,913,044.00	940,999.71		
6330115	Furniture/Fixtures	0.00	223,766.00	13,831.21	192,326.00	192,326.00
	Fueling Facility				112,326.00	
	Shelters, Signage, Trash Recepticals and Schedule Holders				80,000.00	
	Furniture/Fixtures & Equipment		223,766.00	13,831.21		
6330125	Other Capital Expenses	276,756.42	870,062.00	778,818.96	1,140,000.00	1,140,000.00
	Scheduleing, Reporting, Vehicle Location Software				450,000.00	
	Fleet 4 buses	265,880.00	870,062.00	771,069.96	350,000.00	
	Mobile Radios	10,876.42		7,749.00	0.00	
	Building Construction / FFE Carryover				333,000.00	
	Plow for front of RTD truck for snow removal				7,000.00	

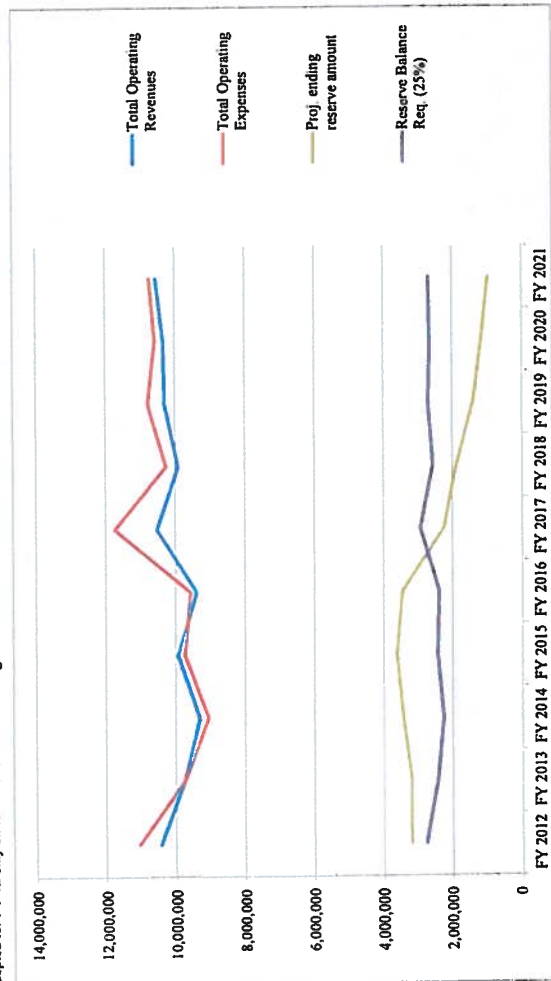
NCRTD 10 Year Capital Investment Plan (CIP)										
	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22
Reflects proposed FY 13 Budget and NMIDOT Award - 4/20/13										
Fleet Replacement (see attached detailed listing)										
Lift (new mice building)	\$350,000	\$750,000	\$516,000	\$402,000	\$706,000	\$712,000	\$947,000	\$445,000	\$300,000	\$300,000
Oil Recovery Sytem(new mice building)					\$100,000					
Waste Oil Heater(new mice building)					\$8,000					
Brake Lathe(new mice building)					\$12,000					
HVAC Enclosure/Garage Door - Ext. Bldg					\$10,000					
Maintenance Facility	\$30,000			\$100,000	\$1,500,000					
Paving bus parking area		\$90,000	\$422,500							
Bus Protective Awnings										
PV panels and electrical conversion to power RTD Facilities	\$150,000									
Transit Orientated Development Site Planning		\$70,000								
Scheduling, Reporting, Vehicle Location Software	\$450,000									
75 Shelters (15/yr @\$4,000 ea. X 5 years)	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000					
Update Service Plan (placed in administrative \$150,000)	\$0									
Fueling Facility	\$112,326									\$200,000
Satellite Facilities (SF, Tacos)		\$75,000			\$75,000					
Signage, trash receptacles and Schedule holders at bus stops (100@\$500 ea.)	\$20,000					\$10,000				\$10,000
Wifi on buses (est. Equipment \$1500 per bus x 5) placed in operations	\$0	\$3,000	\$3,000							
Snow Plow attachment	\$7,000									
Total	\$1,179,326	\$1,048,000	\$1,001,500	\$562,000	\$2,471,000	\$722,000	\$947,000	\$445,000	\$300,000	\$510,000
Total	\$9,185,826									
Federal 80%/50%	\$569,000	\$847,326	\$895,300	\$481,600	\$1,976,800	\$577,600	\$757,600	\$356,000	\$240,000	\$240,000
Local Match 20%/50%	\$610,326	\$200,674	\$106,200	\$80,400	\$494,200	\$144,400	\$189,400	\$89,000	\$60,000	\$270,000
Total	\$2,244,600									

</



Consolidated Budget/ % based Per LAC Proposal/Reduction in LAC Progress thru Partnering Funding (2013 - 2015)

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Revenues										
RTD GRT Revenue	7,075,925	7,013,800	7,224,214	7,440,940	7,664,169	7,894,094	8,130,917	8,374,844	8,626,089	8,884,872
Federal Capital Funds	1,312,971	569,000	320,000	740,500	361,000	1,235,500	361,000	473,500	222,500	150,000
Federal Funds \$311/6516	1,275,045	1,305,446	1,331,555	1,358,186	1,385,350	1,413,057	1,441,318	1,470,144	1,499,547	1,529,538
Redistribution of GRT Revenue										
Redistribution of LA GRT Revenue										
LA GRT	679,173	500,000	450,000	400,000						
Tribal Transit	66,566	43,434								
Miscellaneous	40,000									
Cash Balance Carry over for Capital		333,000								
Total Operating Revenues	10,449,680	9,764,680	9,325,769	9,939,626	9,410,518	10,542,650	9,933,234	10,318,488	10,348,136	10,564,410
Operating Expenses										
Administrative Costs	1,346,705	1,163,390	1,198,291	1,234,240	1,271,267	1,309,405	1,348,687	1,389,148	1,430,822	1,473,747
Operating & Maintenance Costs	2,483,556	2,880,684	2,967,105	3,056,118	3,147,801	3,242,235	3,339,502	3,439,687	3,542,878	3,649,164
NCRTD GRT Allocations % based	4,157,160	4,208,280	4,334,528	4,464,564	4,598,501	4,736,456	4,878,550	5,024,906	5,175,654	5,330,923
Capital Investment Plan	3,083,293	1,512,326	578,000	1,001,500	562,000	2,471,000	722,000	947,000	445,000	300,000
Total Operating Expenses	11,070,714	9,764,680	9,077,924	9,756,422	9,579,570	11,759,097	10,288,740	10,800,742	10,594,354	10,753,835
Net Operating Income	(621,034)	0	247,845	183,204	(169,051)	(1,216,446)	(355,505)	(482,254)	(246,218)	(189,425)
Reserve Balance Req. (25%)	2,767,679	2,441,170	2,269,481	2,439,105	2,394,892	2,939,774	2,572,185	2,700,185	2,648,589	2,688,459
over/under reserve balance	292,368	759,646	1,179,180	1,192,760	1,067,922	(693,406)	(681,322)	(1,291,576)	(1,486,197)	(1,715,492)
Proj. ending reserve amount	3,200,816	3,200,816	3,448,661	3,631,866	3,462,814	2,246,368	1,890,863	1,408,609	1,162,392	972,967
No Service increases										
1. 3% inflator for Revenues - Federal escalates at 2% a year thereafter										
2. O & M costs inflated at 3%										
3. Contractual costs allocated based upon % formula proposed by LAC and adopted for FY 12 only on 5/6/11 but extended through 2020										
4. Capital reflects RTD 10 year plan										
5. Capital allocation solely for NCRTD										
6. Capital costs includes \$250,000 for increased building change orders 2012										
7. Capital costs includes \$371,032 for increased building construction costs										





Agenda Report
NCRTD Board of Directors Meeting
Meeting Date: June 1, 2012
Agenda Item - B

Title: Resolution No. 2012-10 Adopting Fiscal Year (FY) 2013 Budget.

Prepared By: Anthony J. Mortillaro, NCRTD Executive Director

Summary: Resolution adopting the 2013 Budget.

Background: See agenda item A for budget summary.

Recommended Action: It is recommended that the Board move to adopt Resolution No. 2012-10 adopting the Fiscal Year 2013 Budget.

Options/Alternatives: None, a budget is required to be adopted by the Board and submitted to DFA by July 1.

Fiscal Impact: NA

Attachments: Resolution No. 2012-10



North Central Regional Transit District (NCRTD)

Resolution 2012-10

ADOPTING A BUDGET FOR FISCAL YEAR 2013

WHEREAS, the Proposed Fiscal Year 2013 Budget was submitted in accordance with the Boards Financial Policies as adopted and amended on November 4, 2011; and

WHEREAS, said budget was developed on the basis of need and through cooperation with all user departments; and

WHEREAS, the Board of Directors Finance Sub Committee on April 27, 2012 conducted a detailed review of the budget and recommended that the Board consider the Budget as presented; and

WHEREAS, the NCRTD Governing body in and for the NCRTD has reviewed the preliminary budget for fiscal year 2013.

NOW THEREFORE BE IT RESOLVED THAT after conducting a public hearing the Board of Directors of the NCRTD, hereby adopts the proposed budget as attached hereto and respectfully requests approval from the Local Government Division of the State of New Mexico Department of Finance and Administration.

PASSED, APPROVED, AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 1st DAY OF June, 2012.

Daniel Barrone, Chairman

Approved as to form:

Peter Dwyer, Counsel



Agenda Report
NCRTD Board of Directors Meeting
Meeting Date: June 1, 2012

Agenda Item - C

Title: Resolution No. 2012-09 Rider Suspension Policy

Prepared By: Mike Kelly, Transit Operations and Maintenance Manager

Summary: The proposed resolution establishes the Rider Suspension Policy for the NCRTD. The resolution also describes what actions and circumstances would warrant suspension, levels of suspension and which NCRTD staff would be involved the suspension process.

Background: From time to time the NCRTD staff has had the difficult task of refusing transportation to an individual or groups of individuals, due to actions on their part that in effect; prohibit the safe, secure and timely operations of NCRTD bus routes and of its customers. Up to and until now the NCRTD has used "let's ask the Transit Manager to see what he thinks today" policy regarding any suspension practices. There are no current, consistent verbal or written policies for rider suspensions. This leaves drivers, supervisors and the customers with no clear guidelines or expectations of any consequences and to what extent they may be, in the event of unacceptable actions by an individual(s) while riding the bus. Most public transportation agencies have, either through repetitious practice or written policy or both, established rider suspension policies to protect and preserve the safe and timely transportation of their customers and employees. The NCRTD staff, through its past/present experiences and research of other transit agencies, has assembled a Rider Suspension Policy designed to be fair and flexible in order to meet a variety of circumstances.

Recommended Action: It is recommended that the Board adopt Resolution No. 2012 - 09. In addition this resolution has been discussed and reviewed by the Executive Director, Anthony Mortillaro and NCRTD's legal counsel.

Options/Alternatives:

- Take no action and continue to have staff request for decisions to be made by upper management on each case, (not recommended) or
- Adopt the resolution, (recommended) or
- Amend the resolution establishing the policy and any items of Rider Suspension Policy.

Fiscal Impact: None

Attachments:

Resolution 2012 - 09

Rider Suspension Policy



North Central Regional Transit District (NCRTD)

Resolution 2012-09

ADOPTING A RIDER SUSPENSION POLICY

WHEREAS, The NCRTD is committed to providing safe, quality public transportation to its passengers and a safe working environment for its employees; and

WHEREAS, the NCRTD recognizes there are times when a transit customer's behavior disrupts or endangers the health and safety of its employees or a member of the public; and

WHEREAS, the Board has the authority and responsibility to provide guidance for NCRTD personnel when considering whether to suspend remove or refuse transit service to passengers who engage in various forms of disruptive conduct; and

WHEREAS, the GOALS of this policy will be to: 1) ensure the safety of passengers and NCRTD employees; 2) protect public transportation vehicles and facilities; 3) facilitate the proper assistance needed for problematic individuals to the extent feasible and safe; 4) continue to provide courteous and consistent transportation; and

WHEREAS, The Executive Director will promulgate and issue administrative and operational procedures for the implementation of the Rider Suspension Policy;

NOW THEREFORE BE IT RESOLVED THAT the North Central Regional Transit District Board adopts the Rider Suspension Policy dated May 4, 2011 as attached hereto.

PASSED, APPROVED, AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 1st DAY OF JUNE, 2012.

Daniel Barrone, Chairman

Approved as to form:

Peter Dwyer, Counsel

NCRTD

RIDER SUSPENSION POLICY

1.0 Purpose:

The North Central Regional Transit District (NCRTD) is committed to providing quality public transportation for passengers and a safe working environment for employees. There are times when a transit customer's behavior disrupts or endangers the health and safety of its employees or members of the public. The purpose of this policy is to provide guidance for NCRTD personnel when considering whether to suspend, remove, or refuse transit service to passengers who engage in various forms of disruptive conduct. The Executive Director may promulgate and issue administrative and operational procedures for the implementation of this policy. The terms rider, passenger and customer are variously used to describe persons who are not employees of the NCRTD that may have occasion to use NCRTD vehicles, property or services.

2.0 Goals:

The goals of this Rider Suspension Policy are in the following order of importance:

- To ensure the safety of passengers and transit system employees;
- To protect public transportation vehicles and facilities;
- To facilitate the proper assistance needed for problematic individuals to the extent feasible and safe;
- To continue to provide courteous and consistent transportation.

3.0 Criteria for Denial of Service and/or Removal from Vehicle or Transit Facilities:

The following conduct will subject a NCRTD customer or facilities user to denial of service and/or removal from a coach and/or transit facility:

- 3.1. Verbal or physical abuse of NCRTD employees or customers.
- 3.2. Destroying, defacing, stealing, or otherwise damaging property of NCRTD.
- 3.3. Behavior which presents a danger to the health or safety of the offending customer, other customers, or a NCRTD employee. Such behavior includes conduct which is violent, seriously disruptive, or illegal.
- 3.4. Urinating, defecating, vomiting, spitting, expectorating or any other inappropriate discharge of bodily fluids on transit vehicles or property.
- 3.5. Failure to observe posted "On-Board NCRTD Rules of The Road". On-Board Rules of the Road include: No smoking, no unruly or disrespectful behavior, including profanity, no eating, no alcoholic beverages (non-alcoholic beverages OK if covered by a lid or top), limited use of all electronic devices (including cell phones) so as to not disturb other riders or the NCRTD Operator, and no flammable items on board or on the bike rack.
- 3.6. Soliciting, advertising, selling or distributing goods or services, except as authorized by NCRTD or its agents.
- 3.7. Sexually harassing any NCRTD employee or customer.
- 3.8. Indecent exposure or sexually explicit activity on NCRTD vehicles or property

3.9. Demonstrated pattern of no-shows on the NCRTD Para transit system. The "No Show Policy" under the Americans with Disabilities Act of 1990" outlines separate procedures covering these specific actions.

3.10. Inability to care for oneself, including temporary inability due to illness or intoxication (alcohol, drugs, or other intoxicating substances), resulting in disruptive behavior which interferes with the safe and uninterrupted operation of the system. Such customers may be reseated, refused service, or removed from NCRTD vehicles or facilities at the discretion of NCRTD.

3.11. Smoking or carrying a lighted or smoldering pipe, cigar, cigarette, onto a vehicle or using any tobacco products on NCRTD properties not designated as tobacco use areas.

3.12. Discarding litter other than in designated receptacles.

3.13. Playing any radio, recorder, or other sound-producing equipment that does not limit sound to individual listener or interferes with communication devices by NCRTD employees or public safety officers in the line of duty; or, the use of private communication devices such as pagers or portable telephones in a similarly interfering manner.

3.14. Carrying any flammable liquid, explosive, acid or other article or material likely to cause harm to others. Persons are permitted to carry cigarette lighters or firearms and ammunition in a way that is not otherwise prohibited by law.

3.15. Intentionally obstructing or impeding the flow of transit vehicles or passenger traffic; hindering or preventing access to transit vehicles or stations; or unlawfully interfering with the provision or use of public transportation services.

3.16. Intentionally disturbing others by engaging in loud, raucous, unruly, or harassing behavior that is harmful and/or intimidating to others.

3.17. Carrying any open container of alcohol, or controlled substances without a proper prescription.

3.18. Brandishing guns, knives, or other devices that are weapons or apparently capable of use as weapons.

3.19. Engaging in other conduct that is inconsistent with the intended use and purpose of the transit facility, transit stations, or transit vehicle and refusing to obey the lawful commands of an agent of the transit authority or a peace officer to cease such conduct.

3.20. Any other conduct that is prohibited by any law or any policy of the NCRTD.

4.0 Suspension of Adults:

Suspensions shall be proportionate to the severity of the conduct for which the suspension is issued. Depending on the nature and/or the severity of acts of misconduct such as vandalism, criminal activity, passenger disputes, or threats of bodily harm to the operator or passengers, NCRTD staff and management may suspended bus service for

offenders at such times and to such an extent as they deem necessary to achieve the purposes set forth in this policy. Suspensions generally shall be grouped into the following categories although the Executive Director of the NCRTD has authority to vary from these categories.

4.1 One (1) Day Suspension: In the case of a single incident where the actions have not occurred repeatedly and are not resolved through de-escalation attempts, NCRTD staff and management can suspend that passenger for 1 day or for the remainder of that day. Individual drivers and operators are hereby authorized to issue oral one day suspensions when, in their judgment, the terms of this policy are being violated and the severity of the violation warrants an immediate response. Drivers, operators and staff are encouraged to contact their supervisors prior to any and all suspensions but if they cannot reach a supervisor or believe there is a risk to public safety they may issue one-day suspensions without supervisory approval.

4.2 Six (6) Month Suspension: If a passenger's actions have occurred repeatedly and have not been resolved through de-escalation attempts, and/or law enforcement has attempted to aid in these attempts to no avail, NCRTD Transit Operation Manager may elect to suspend that passenger for up to 6 months. When that occurs, NCRTD management will notify the individual in writing of the suspension, including the term of the suspension, and the process for appeal. NCRTD shall document the reasons for the suspension, the attempts to resolve the matter prior to suspension, and the length of time of suspension. NCRTD shall make such records available to the person suspended to the extent that such records are not confidential.

4.3 Indefinite Suspension: The NCRTD reserves the right to suspend any passenger indefinitely if, in the NCRTD's judgment, the passenger poses a risk of injury to themselves, the public or NCRTD employees. Such suspensions shall only be made by the Executive Director. Generally, if the passenger's actions have not been resolved through de-escalation attempts, and/or have resulted in bodily harm to an operator or passenger, and/or law enforcement has made an arrest for the violation, the Executive Director may suspend that passenger indefinitely. The NCRTD shall notify the individual in writing of any such suspension in the same manner as prescribed above in section 4.2.

4.4 Temporary Suspension during an Investigation: In cases where a passenger has made an allegation of misconduct or inappropriate actions by a transit operator(s), the NCRTD may temporarily suspend services to that passenger during the investigation. Temporary suspensions are for protection of the passenger as well as the public and shall be utilized to maintain the integrity of the NCRTD pending resolution of the investigation. Once an investigation is complete and appropriate steps have been taken to mitigate any such acts, the NCRTD shall lift the temporary suspension or impose a suspension pursuant to this policy...

5.0 Suspension of Minors:

Suspension of minors shall follow the same guidelines as adults. However, in the case of minors the NCRTD shall provide notice to parents or legal guardians to the best of its ability. .

6.0 Driver/Operator Enforcement of this Policy:

Refusing transportation to an individual or group of individuals at a bus stop or when attempting to board a bus, will be up to the judgment of the individual transit operator. However, it is incumbent upon the NCRTD management to ensure all transit operators are trained on this policy and the various steps/techniques in dealing with these types of individuals. Examples of extreme circumstances that justify refusing service include those individuals who pose a potential safety risk passengers without shoes or shirts, individuals who have soiled themselves and/or their clothing, or those who give the appearance of extreme intoxication.

6.1 Ejecting Passengers from Vehicles: Ejecting (removing) a passenger from the bus may be justified when disruptive actions occur while the bus is in motion. Examples include extreme annoyance to other passengers, threats of violence, loud profane language, and yelling, physical altercation or conduct as described in 3.0 above. If a passenger is removed from the bus, they should be left in an area that is safe and well lighted. Operators should not attempt to physically confront or forcibly remove passengers and if such steps are required the operator should contact a supervisor, or a law enforcement officer rather than attempting to physically remove the passenger. Drivers shall not eject or remove passengers from a moving vehicle and shall not compromise the health and safety of other passengers by making abrupt stops or disobeying any traffic law in order to eject a passenger.

6.2 Detaining Passengers: Detaining a disruptive passenger may be necessary in order to await supervisory or law enforcement assistance. This is defined as temporarily stopping the bus route, parking the bus in a safe location, with doors open and no physical contact with the individual(s) by transit personnel. Drivers shall not be required to stop their vehicle at locations other than those permitted or required on a route nor shall they be required or permitted to allow passengers to exit a moving vehicle at any time.

7.0 Appeal Process:

7.1 In the event that the NCRTD decides to suspend service to a passenger for a period of more than one day the NCRTD shall provide written notice to the passenger to the extent such notice is possible. Where written notice is not possible due to the lack of contact information the NCRTD shall attempt to provide such other notice, by phone, or direct contact as may be reasonably possible. The NCRTD is not responsible for investigating individual identities, locating the address information of persons refusing to provide this information or otherwise verifying the name, address and identity of riders. The Service Suspension Notice submitted to a suspended person shall also be used to notify riders of their right to appeal the decision to the Transit Operations Manager or his/her designee.

7.2 If the passenger requests an appeal hearing, the Appeal shall be held by the Transit Operations Manager or his/her designee as soon as practicable. The appeal hearing may be conducted in person or telephonically. Appellants shall be provided with access to any information or records of the NCRTD reasonably required to prosecute the appeal so long as the records are not confidential. The NCRTD shall allow the appellant to submit any written or oral testimony that appellant wishes to place in the record but

may limit the time allotted for a hearing to such time as the case warrants. The appellant shall have the burden of showing that the decision to suspend service was illegal, unwarranted, arbitrary or erroneous.

7.3 Following the appeal, the Transit Operations Manager or his/her designee shall render a decision as soon as practicable. The decision may be conveyed to the suspended person in writing or via phone depending of their accessibility.

7.4 The NCRTD will not provide service to the suspended person pending resolution of the Appeal.



Agenda Report
NCRTD Board of Directors Meeting
Meeting Date: June 1, 2012

Agenda Item - D

- Title:** Resolution No. 2012-08 Adopting and Amending the NCRTD Advertising Policy
- Prepared By:** Jim Nagle, Public Information Officer
- Summary:** To implement the Advertising Policy that was presented to the NCRTD Board in November 2010 (with suggested amendments as indicated in red) and to adopt an Advertising Policy to generate revenues to support promotional activities performed by the NCRTD. The NCRTD may offer space on NCRTD-owned property, as permitted by law, for local, regional, and national advertising opportunities.
- Background:** The Advertising Policy would serve as direction for the NCRTD in future advertising opportunities. It would also enable the Public Information Officer and the Executive Director to enter into agreements with advertising firms and marketers to promote the NCRTD and to enhance our advertising budget by increasing revenues by generating advertising such as bus wraps on the buses and print advertisements on bus interiors and exteriors, bus shelters, and any property owned and/or managed by the NCRTD.

Recommended Action:

It is recommended that the Board adopt Resolution No. 2012-08 amending and adopting the Advertising Policy. This resolution and policy has been discussed and reviewed by the Executive Director, Anthony Mortillaro and NCRTD's legal counsel.

Options/Alternatives:

- Take no action; or
- Adopt the resolution, (recommended); or
- Amend the resolution and policy items and then take action to adopt.

Fiscal Impact:

Expected to increase cash revenues.

Attachments:

Resolution No. 2012-08 and Advertising Policy.



North Central Regional Transit District (NCRTD)

Resolution 2012-08

ADOPTION OF AN AMENDED NCRTD ADVERTISING POLICY

WHEREAS, the NCRTD Board on November 5, 2010 reviewed and agreed to an NCRTD Advertising Policy pending policy review six months from that date; and

WHEREAS, the six month review did not occur and, hence, the policy was never instituted; and

WHEREAS, the NCRTD desires to implement and move forward with the policy as amended herewith to more clearly define the plan, its goals and intentions.

NOW THEREFORE BE IT RESOLVED THAT THE NCRTD ADVERTISING POLICY IS APPROVED AND ADOPTED AS AMENDED AND ATTACHED HERETO AS EXHIBIT "A" FOR FISCAL YEAR 2012 ON THIS 1st DAY OF JUNE 2012.

Daniel Barrone, Chair

Approved as to form:

Peter Dwyer, Counsel



Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Justified

EXHIBIT A

NCRTD North Central Regional Transit District (NCRTD) ADVERTISING ADVERTISING POLICY

Formatted: Font: (Default) Times New Roman

Formatted: Justified

1.0 PURPOSE

- 1.1 To generate revenues to support the promotional activities offered by the North Central Regional Transit District, ~~the NCRTD which~~ may offer space on NCRTD-owned property, as permitted by law, for local, regional, and national advertising opportunities.
- 1.2 This policy specifically addresses cash revenue-generating advertising opportunities on NCRTD owned properties, consisting of: (1) print advertising on the exterior of NCRTD buses; (2) print advertising displayed on bus shelters in the District's service area; (3) print advertising on the interior of buses; and (4) limited advertising on the exterior of buses in the form of a wrap. This Advertising Policy (Policy) shall apply to the sale of all advertising on all Transit Facilities owned and/or managed by the District.
- ~~1.3 Earned revenues will be used by the Director of Marketing & Communications Public Information Officer and Executive Director's direction toward funding any promotional/advertising programs.~~
- 1.4 All advertising shall be subject to this uniform, viewpoint-neutral Policy so as to avoid to the maximum extent possible, the need for case-by-case interpretation and application of the Policy. By not allowing Non-Permissible Advertising, outlined in Section 6, NCRTD can: (a) maintain a professional advertising environment that maximizes advertising revenues and minimizes interference with or disruption of the transit systems; and (b) maintain an image of neutrality on political, religious or other issues that are not the subject of commercial advertising and can be the subject of public debate.

2.0 DEFINITIONS

- 2.1 "Advertising" means the purchase of space on NCRTD property to propose a commercial transaction for good or services.

~~2.2 "Sponsorship" means financial or in-kind support for specific events.~~

- 2.3 "Commission" means financial compensation paid to the NCRTD calculated as a lump sum, per-unit, or percentage of the amount received from sale of goods or services related to specific events at NCRTD owned property.

- 2.4 "District" refers to NCRTD operating entities that may include several "Cities/Countries" that share similar elements in their service functions; an example of a District would be the NCRTD membership.

- 2.5 "Property" may include NCRTD-owned vehicles, equipment, shelters, signs, facilities, structures and buildings.

- 2.6 ~~"Trade-outs" are exchanges for services such as passes and memberships for advertising spaces, commercials, and partnerships.~~

Formatted: Indent: Left: 0", Hanging: 0.3"

Formatted: Justified

3.0 POLICY

- 3.1 The ~~Director of Marketing & Communications~~ Public Information Officer or Designee may seek designation of space as appropriate and available on NCRTD-owned property under his or her management for advertising and the value of the space.

- 3.2 A request for such a designation will be forwarded to the Executive Director for approval.

- 3.3 When the Executive Director approves the designation of space as appropriate and available on NCRTD-owned property for advertising, the ~~Director of Marketing & Communications~~ Public Information Officer ~~and~~ and the Executive Director will determine the optimal method for implementing an advertising program. It is anticipated that in most cases, management of ~~departmental~~ advertising programs will be accomplished by entering into agreements with a private advertising contractor. This does not preclude the option of managing an advertising program in-house.

- 3.4 Agreements and contracts for advertising space, ~~trade-out~~, and commissions must follow the requirement of State of New Mexico Procurement Code, State of New Mexico Statutes and Federal law.

- 3.5 This policy does not require that the NCRTD grant all requests to permit advertising on any NCRTD-owned property. ~~Such programs will be conducted~~

~~solely at the discretion and determination of the North Central Regional Transit District.~~

3.6 Recognizing that "The Blue Bus" is a critical component of NCRTD branding, requests for bus wraps will be taken quite seriously to insure that element of the bus' identity is not overtaken. Wrapping will be limited to the middle sides of the buses and with no more than 3 buses the Public Information Officer and Executive Director will ascertain the number of vehicles in the fleet that may be wrapped at any one time.

3.7 All advertisements must clearly and unambiguously identify the person or entity that has sponsored, paid for, or caused the advertisement or announcement to be placed. Website addresses or phone numbers without more information are insufficient to satisfy this section.

3.8 RTD will adhere to all local ordinances and signage codes for advertising on any of its fixed facilities.

4.0 ~~TRADE OUTS~~

4.1 ~~Trade outs will be allowed upon the approval of the Director of Marketing & Communications, Executive Director and the Board of Director's. If advertising is managed by a contractor, provisions for trade outs, if desired, must be included in the contract. Trade outs for advertising will be allowed on a dollar for dollar value basis.~~

5.0 ADVERTISING VALUES

5.1 The subject matter of all advertising shall be limited to speech which proposes solely a commercial transaction for goods and services. The advertisements must contain only expressions related to the economic interest of the advertiser and its audience.

Formatted: Left, Indent: Left: 0.5"

5.2 If the advertising program permits specific opportunities for non- commercial advertising, such as making available a stated percentage of space for public service announcements (PSAs) ~~and/or offering reduced rates for program advertising to non-profit agencies~~, that advertising shall not contain offers to *purchase* any item or service. Upon the District's request, non-profit entities must document their tax-exempt status. If the non-profit agency offers items or services available for purchase, the standard advertising rates would apply.

5.3 Advertising and marketing opportunities and associated agreements must align with these values:

5.3.1 Opportunities for external parties to participate in commercial advertising will be fair.

5.3.2 Advertising agreements comply with applicable federal, state, and local laws and ordinances.

5.3.3 Advertisers will uphold community values and abide by federal, state, and local laws/ordinances.

5.3.4 Advertisements cannot promote a commercial transaction that is expressly prohibited by federal, state or local law or regulations.

~~5.3.5 Advertisers may not convey or present, obscene, vulgar, profane, demeaning, derogatory, or inflammatory messages or concepts which offend prevailing community values. (addressed below)~~

5.3.56 Advertisers' promotional materials and/or claims may not include false, misleading, or deceptive claims.

5.3.67 The NCRTD retains the right to control placement, content, appearance, and wording of advertising messages.

~~5.3.8 Commercial advertisements must not imply the NCRTD's endorsement of any product, service, company, or person. (addressed below)~~

6.0 NON-PERMISSIBLE ADVERTISING

6.1 In general, advertising shall not be accepted for advertisements promoting:

6.1.1 Tobacco-related products, including depicting the sale or use of tobacco.

6.1.2 Alcohol-related products, including promoting or depicting the sale or consumption of alcohol.

6.1.3 Pornography, Obscenity or Nudity, in that the ad, or any material contained in it contains any nudity, obscenity, sexual content, sexual excitement or sadomasochistic abuse. This includes prurient sexual suggestiveness in that it describes, depicts, or represents sexual activities or aspects of the human anatomy.

6.1.4 Gaming/gambling (Recognizing a distinction between a resort/hotel and a casino, resorts and associated hotels will be permitted.)

6.1.5 Weapons/firearms, violence. The Ad, or any material contained in it, directly or indirectly promotes the sale or use of a firearm or contains an image or depiction of a firearm.

6.1.6 Violence, the Ad contains an image or description of graphic violence, including, but not limited to (1) the depiction of human or animal bodies or body parts, or fetuses, in states of mutilation, dismemberment, decomposition, or disfigurement, and (2) the depiction of weapons or other implements or devices associated in

the advertisement with an act or acts of violence or harm on a person or animal.

6.1.7 Religious advertisements, defined as advertisements that contain any direct or indirect reference to religion, or to any religion, or to any deity or deities, or to any religious creed, existence, nonexistence or other characteristics of any deity or deities, or to any religious creed, denomination, belief, tenant, cause or issue relating to (including opposing or questioning) any religion. This prohibition shall include the depiction of any commonly associated text, symbols, or images associated with such.

6.1.8 Political advertisements, defined as advertisements that contain political speech referring to a particular ballot question, initiative, petition, referendum, candidate, or political party or viewpoint, or expresses or advocates opinions or positions upon any of the foregoing. This prohibition includes any advertisement referring to or depicting a candidate for public office in any context.

6.1.9 Adult-oriented goods or services. The advertisement promotes or encourages, or appears to promote or encourage adult entertainment establishments, adult telephone services, internet sites and escort services.

6.1.10 Demeaning or disparaging. Advertising that includes language, pictures or other graphic representations that are derogatory or defamatory of any person or group because of race, color, national origin, ethnic, background, age, disability, ancestry, marital or parental status, military discharge status, source of income, religion, gender or sexual orientation.

6.1.11 Profanity, vulgarity, inflammatory language. The advertisement or any material in it is profane, or vulgar, or presents a clear and present danger to inflame emotions, cause a riot, or other imminent threat to public safety, peace or order.

6.1.12 Endorsements. Commercial advertisements must not imply the NCRTD's endorsement of any product, service, company or person.

~~6.1.6 Candidates for political office, political parties or ballot issues~~

6.2 Exceptions that do not violate NCRTD policy may be approved by the Executive Director.

7.0 **EARNED REVENUE AND BUDGET PROCESS**

7.1 Revenue from advertisements and commissions shall be reflected as revenue for the ~~initiating~~ NCRTD's marketing and advertising budget.

Only guaranteed advertising revenues – such as the revenue commitments in a multi-year advertising agreement – should be included in the fiscal year budget.

7.2 Prior to a mid-year budget adjustment, advertising revenue projections will be assessed ~~by NCRTD~~ and, if necessary, a Budget Adjustment Request (BAR) will be initiated.

7.3 Advertising revenues are additional revenues for the NCRTD's marketing and advertising budget. The NCRTD's approved budget is not decreased by the amount of advertising revenues.

Anthony Mortillaro
Executive Director

Date

Formatted: Justified

Formatted: Font: (Default) Times New Roman

Formatted: Justified

Formatted: Font: (Default) Times New Roman

Formatted: Justified

Formatted: Font: (Default) Times New Roman

Formatted: Justified

Formatted: Font: (Default) Times New Roman

Formatted: Justified

Formatted: Font: (Default) Times New Roman



Agenda Report
NCRTD Board of Directors Meeting
Meeting Date: June 1, 2012
Agenda Item - E

Title: Resolution No. 2012-11 Adopting and Amending the NCRTD Public Records Request Policy (The Policy)

Prepared By: Jim Nagle, Public Information Officer

Summary: This resolution approves amendments to the NCRTD Public Records Request Policy that reflect updates to The New Mexico Inspection of Public Records Act (The Act) and incorporates new language to acknowledge requests for copies in electronic format.

Background: The Act requires by law that the public shall have access to information about governmental affairs and recognizes that as a fundamental right to be afforded to all people in a democracy. The Policy is intended to set guidelines and parameters for NCRTD employees to respond to these requests in a timely manner.

Recommended Action: It is recommended that the Board adopt Resolution No. 2012-11 amending the Public Records Request Policy. This resolution and policy have been discussed and reviewed by the Executive Director, Anthony Mortillaro and NCRTD's legal counsel.

Options/Alternatives:

- Take no action; or
- Adopt the resolution, (recommended); or
- Amend the resolution and policy items and then take action to adopt.

Fiscal Impact: None

Attachments:

- Resolution No. 2012-11
- Public Records Request Policy (Exhibit A)
- Request for Public Records Form (Exhibit B)
- Fee Schedule for Public Records (Exhibit C)
- Notice of Right to Inspect Public Records (Exhibit D)



North Central Regional Transit District (NCRTD)

Resolution No. 2012-11

ADOPTION OF AN AMENDED NCRTD PUBLIC RECORDS REQUEST POLICY

WHEREAS, the New Mexico Inspection of Public Records Act (The Act) requires access to public records and recognizes such access as a fundamental right afforded in a democracy; and

WHEREAS, compliance with requests to inspect public records is an integral part of the routine duties of the officers and employees of the NCRTD; and

WHEREAS, the NCRTD Public Records Request Policy (Exhibit A) is intended to assist NCRTD personnel in dealing with requests for documents and information in a timely manner; and

WHEREAS, NCRTD wishes to address changes to The Act regarding requests for copies in electronic format; and

WHEREAS, the NCRTD desires to implement and move forward with an updated and amended policy.

NOW THEREFORE BE IT RESOLVED THAT THE NCRTD PUBLIC RECORDS REQUEST POLICY IS APPROVED AND ADOPTED AS AMENDED AND ATTACHED HERETO AS EXHIBITS "A" THROUGH "D" ON THIS 1ST DAY OF JUNE 2012.

Daniel Barrone, Chair

Approved as to form:

Peter Dwyer, Counsel

EXHIBIT A**NCRTD PUBLIC RECORDS REQUEST POLICY****1.0 PURPOSE:**

- 1.1 The purpose of this policy is to ensure that all persons are entitled to the greatest possible information regarding the affairs of the NCRTD and the official acts of its public officers and employees. Providing persons with such information is an essential function of a representative government and an integral part of the routine duties of public officers and employees. The NCRTD shall be responsible for making available public records for inspection. The Purpose of this Policy is also to assist NCRTD personnel in dealing with requests for documents and information in a timely manner.

2.0 APPLICABLE TO:

- 2.1 All NCRTD Departments, officers and employees.

3.0 REFERENCES:

- 3.1 The New Mexico Inspection of Public Records Act Chapter 14, Article 2 NMSA 1978.

4.0 DEFINITIONS:

- 4.1 "Custodian" means any person responsible for the maintenance, care or keeping of a public body's public records, regardless of whether the records are in that person's actual physical custody and control;
- 4.2 "File format" means the internal structure of an electronic file that defines the way it is stored and used;
- 4.3 "Inspect" means to review all public records that are not excluded in Section 14-2-I NMSA 1978 as listed below:
- 4.4.1 Right to inspect Public Records: Exceptions.
Every person has the right to inspect public records of the NCRTD except:
- a) Records pertaining to physical or mental examinations and medical treatment of persons employed by the NCRTD;
 - b) Letters of reference concerning employment;
 - c) Letters or memorandums which are matters of opinion in

personnel files.

- d) As provided by the Confidential Materials Act
- e) As otherwise provided by law

- 4.5 "Person" means any individual, corporation, partnership, firm, association or entity.
- 4.6 "Public Body" means the executive, legislative and judicial branches of state and local governments and all advisory boards, commissions, committees, agencies or entities created by the constitution or any branch of government that receives any public funding, including political subdivisions, special taxing districts, school districts and institutions of higher education; and
- 4.7 "Public Records" means all documents, papers, letters, books, maps, tapes, photographs, recordings and other materials, regardless of physical form or characteristics, that are used, created, received, maintained or held by or on behalf of the NCRTD and relate to public business, whether or not the records are required by law to be created or maintained.

5.0 POLICY:

- 5.1 It is the NCRTD's policy to comply with the New Mexico Inspection of Public Records Act regarding written requests to inspect and/or copy public records. The NCRTD shall strive to achieve openness and transparency of all NCRTD functions to the maximum extent permissible and consistent with all state and federal laws.

6.0 PROCEDURES:

- 6.1 All written requests for inspection of public records shall be filed in the Records Custodian's office. The Records Custodian shall serve as the Custodian of public records for the NCRTD. Written requests may be entered on a "Request for Public Information" form available at the NCRTD Office(s) or on the NCRTD website at www.ncrtd.org (Exhibit A.1)
- 6.2 A written request may be submitted on paper or electronically and the Custodian shall respond in the same medium in which the request was received. Custodians may also choose to respond in any other medium they deem appropriate, but must respond to the initial request in the same medium in which it was received. Section 14-2-7 (B).
- 6.3 Each written request shall provide the name, address and telephone number of the person seeking records and shall identify the records sought with reasonable particularity. No person requesting records shall be required to state the reason for inspecting the records.

- 6.4 The NCRTD Custodian will notify the originating department of any record request and provide them with a copy to ensure they produce the responsive information and are informed regarding the request for information.
- 6.5 The originating department shall provide the public records to the Custodian immediately or as soon as is practicable under circumstances, but not later than fifteen days after the date the written request was filed with the Custodian. If the records requested are too voluminous to provide to the Custodian, the Custodian will be informed of the location where they may be inspected. If the inspection is not permitted within three business days, the originating department shall explain in writing to the Custodian when the records will be available for inspection or when the NCRTD will respond to the request. (The three-day period shall not begin until the written request is delivered to the office of the Custodian). The written explanation shall be filed with the Custodian by noon (12:00 p.m.) on the third business day after the request for the inspection of public records was filed with the Custodian. The Custodian shall release the explanation to the requester.
- 6.6 If the Custodian determines that a written request is excessively burdensome or broad, an additional reasonable period of time shall be allowed to comply with the request. The Custodian shall provide written notification to the requester within fifteen days of receipt of the request that additional time will be needed to respond to the written request. The requester may deem the request denied and may pursue the remedies available pursuant to the Inspection of Public Records Act if the Custodian does not permit the records to be inspected in a reasonable period of time.
- 6.7 Requested public records containing information that is exempt and nonexempt from disclosure shall be separated by the Custodian prior to inspection, and the nonexempt information shall be made available for inspection. If necessary to preserve the integrity of computer data or the confidentiality of exempt information contained in a database, a partial printout of data containing public records or information may be furnished in lieu of an entire database. Exempt information in an electronic document shall be removed along with the corresponding metadata prior to disclosure by utilizing methods or redaction tools that prevent the recovery of exempt information from a redacted electronic document.
- 6.8 The NCRTD may redact protected personal identifier information before providing a public record. Personal identifier information is defined as: (1) a social security number; (2) all but the year of a person's birthdate; (3) all but the last four digits of a taxpayer identification number, financial account number or driver's license number.
- 6.9 A Custodian shall provide a copy of a public record in electronic format if the public record is available in electronic format and an electronic copy is

specifically requested. However, a Custodian is only required to provide the electronic record in the file format in which it exists at the time of the request.

- 6.10 Unless a written request has been determined to be excessively burdensome or broad, a written request for inspection of public records that has not been permitted within fifteen days of receipt by the office of the Custodian may be deemed denied. The person requesting the public records may pursue the remedies provided in the Inspection of Public Records Act.
 - 6.10. If a written request has been denied, the Custodian shall provide requester with a written explanation of the denial. The written denial shall:
 - a) Describe the records sought;
 - b) Set forth the names and titles or positions of each person responsible for the denial; and
 - c) Be delivered or mailed to the person requesting the records within fifteen days after the request for inspection was received.
- 6.11 If the public record is located at an offsite location, the Records Custodian for the NCRTD shall request and locate the record from the offsite storage location as soon as possible, following existing procedures for withdrawal of records.
- 6.12 NCRTD originals or best copy documents shall not be physically released to anyone outside the NCRTD. The NCRTD records Custodian shall issue verified, certified copies of any and all documents in the NCRTD's custody upon written request for records or subpoenas.
- 6.13 The Custodian shall provide copies of public records upon request with a reasonable cost charged for reproduction. The copy fees are listed in Exhibit A.2
- 6.14 When producing documents in electronic format the Custodian can charge a requester the actual costs associated with downloading copies of public records to a storage device and the actual cost of the storage device, including the actual cost of the computer disk or storage device. Standard per-side copy fees include up to 15 minutes of staff time to retrieve the records and all photocopying/scanning. If the request requires additional staff time, research, or attorney review, additional labor fees will be charged. Labor fees are based on the actual cost of the employee performing the work, which includes hourly payroll rate, benefits, and overhead. Work to which the standard per side copy fees cannot be applied will be charged on the basis of actual cost.
- 6.15 Any document to be provided in electronic format shall be converted into a PDF file format by the Custodian prior to release.
- 6.16 Nothing in this section regarding the provision of public data in electronic format

shall limit the ability of the Custodian to engage in the sale of data as authorized by Section 14-3-15.1 NMSA 1978, including imposing reasonable restrictions on the use of the database and the payment of a royalty or other consideration.

- 6.17 All responses to requests for electronic copies in draft stage shall carry the following disclaimer:

"Documents produced in response to public records request may be altered subsequent to production particularly when in electronic format. Draft documents may be inaccurate, may have incorrect or misleading information, may not state the policies, positions or conclusions of senior management or the NCRTD board and are subject to change subsequent to inspection or production. Draft documents should not be relied upon as representations by the NCRTD or its agents as to any fact or conclusion and are not reliable sources of accurate information."

EXHIBIT B**NCRTD REQUEST FOR PUBLIC RECORDS**

In accordance with Section 14.-2.-.1 NMSA 1978, as amended, I would like to inspect and/or copy the following documents: (Please list records with reasonable particularity)

I promise to pay copying charges as listed in the attached Copy Fee Schedule. If the copying charges will exceed \$_____ please call me to discuss. I understand that payment is due at, or before, the time of receipt of the copies requested. A receipt shall be provided upon request.

Public records will be available from 8:00 a.m. to 5:00 p.m. on normal business days. Original records may not be removed from the NCRTD offices.

 Name of Requester

 Date

 Signature

 Telephone Number

 Address

 e-mail address
FOR DEPARTMENT USE ONLY

 The request to inspect public records is:

Approved _____

Disapproved for the following reason(s):

 3 Day Deadline

 15 Day Deadline

 Date Completed

 No. of Copies

 Cost

 Receipt No.

EXHIBIT C**COPY FEE SCHEDULE FOR PUBLIC RECORDS**

<u>11" x 17" copies or smaller</u>	Color or b&w, one side only	\$1.00 per page
	Two sided copies	\$1.50 per page
<u>11" x 17" or larger</u>	Maps, drawings, documents	\$1.50 per sq. foot
<u>Faxes</u>		\$1.00 per page
<u>Scan Fee</u>		\$1.00 per page
<u>US Postal Services</u>		Actual costs incurred
<u>Documents on CD/DVD</u>		\$3.00 per CD/DVD

ELECTRONIC TRANSMITTAL

Documents NOT in electronic format \$1.00 per page
 Documents already saved in electronic format No charge up to 1MB
 (Documents that collectively total more than 1MB must be downloaded to a non-rewritable
 CD/DVD)

Free Copies Each requester is entitled to fifteen copies at no charge per calendar year for
 documents 11" x 17" in size or smaller.

Standard per-side copy fees include up to 15 minutes of staff time to retrieve the records and all photocopying/scanning. If the request requires additional staff time, research, or attorney review, additional labor fees will be charged. Labor fees are based on the actual cost of the employee performing the work, which includes hourly payroll rate, benefits, and overhead. Work to which the standard per side copy fees cannot be applied will be charged on the basis of actual cost (NCRTD Public Records Request Policy Section 6.14).

EXHIBIT D**NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS**

By law, under the New Mexico Inspection of Public Records Act (Act), every person has the right to inspect public records of the North Central Regional Transit District (NCRTD). The Act also makes compliance with requests to inspect public records an integral part of the routine duties of the officers and employees of the NCRTD.

Procedures for Requesting Inspection. Requests to inspect public records should be submitted to the records Custodian (Public Information Officer) located at 3600 Rodeo Lane, Suite, B-6, Santa Fe, New Mexico, 87507, by calling 505-438-3257 or faxing request to 505-438-0351 or by email to jimn@ncrtd.org

A person desiring to inspect public records may submit a request to the records Custodian orally or in writing. However, the procedures and penalties prescribed in the Act apply only to written requests. A written request must contain the name, address and telephone number of the person making the request. Written requests may be submitted in person or sent via US mail, email or facsimile. The request must describe the records sought in sufficient detail to enable the records Custodian to identify and locate the requested records.

The records Custodian must permit inspection immediately or as soon as practicable; but no later than 15 calendar days after the records Custodian receives the inspection request. If inspection is not permitted within three business days, the person making the request will receive a response, in the format by which it was received, explaining when the records will be available for inspection or when the public body will respond to the request. If any of the records sought are not available for public inspection, the person making the request is entitled to a response from the records Custodian explaining the reasons inspection has been denied. The written denial shall be delivered in the format by which it was originally received and/or mailed within 15 calendar days after the records Custodian received the request for inspection.

Procedures for Requesting Copies and Fees. If a person requesting inspection would like a copy of a public record, a reasonable fee may be charged. The fee for documents eleven inches by 17 inches or smaller is up to \$1.00 per page per NCRTD fee schedule. Fees to print larger documents as well as other fees for copies are set forth in the NCRTD Public Records Request Policy (Exhibit C). Payment is due at, or before, the time of receipt of the copies requested. A receipt indicating that the fees have been paid for making copies of public records will be provided upon request to the person requesting the copies.